


ALEXANDER HENDERSON

CHURCHMAN AND STATESMAN

SHERIFF ORR, K.C.



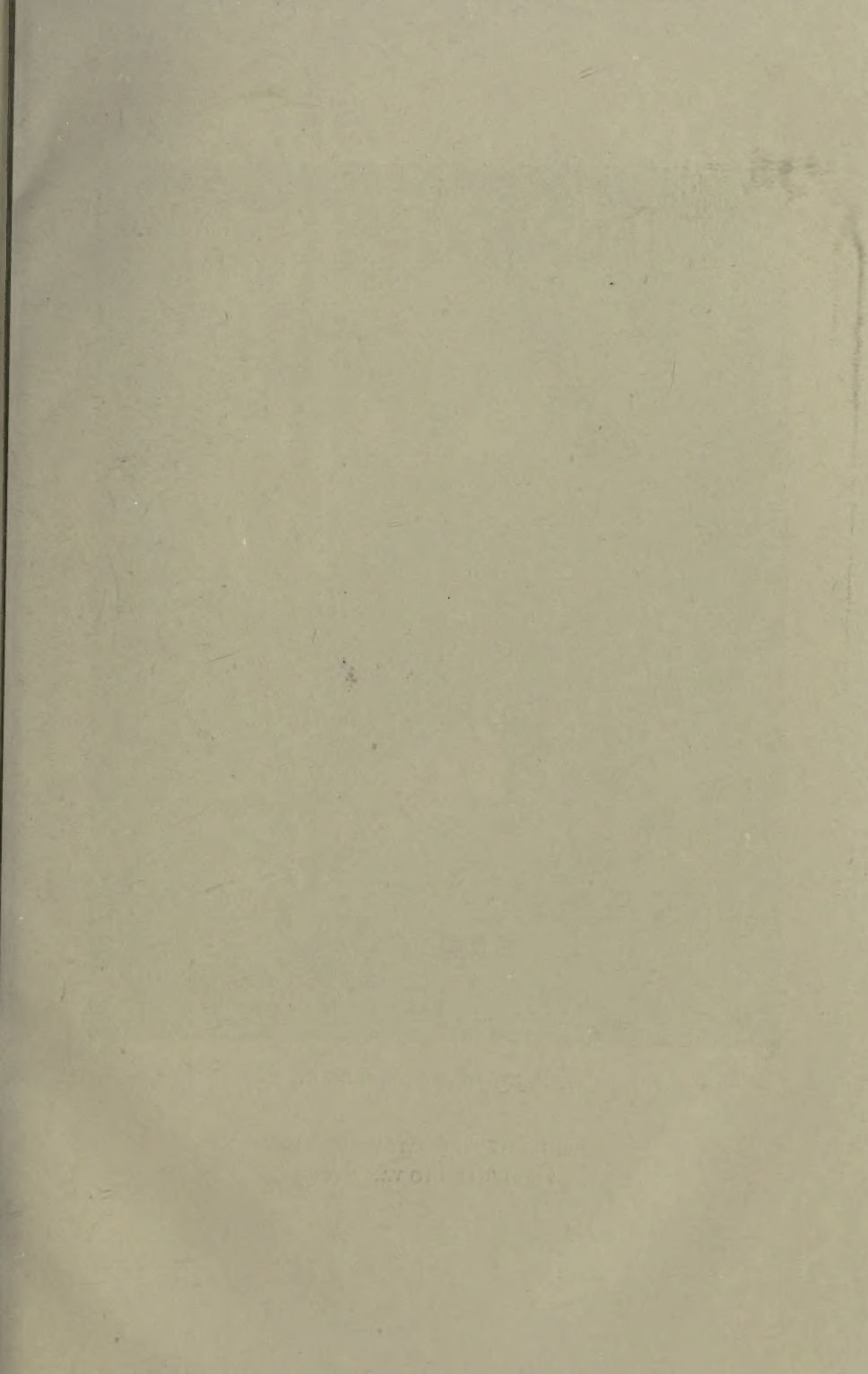
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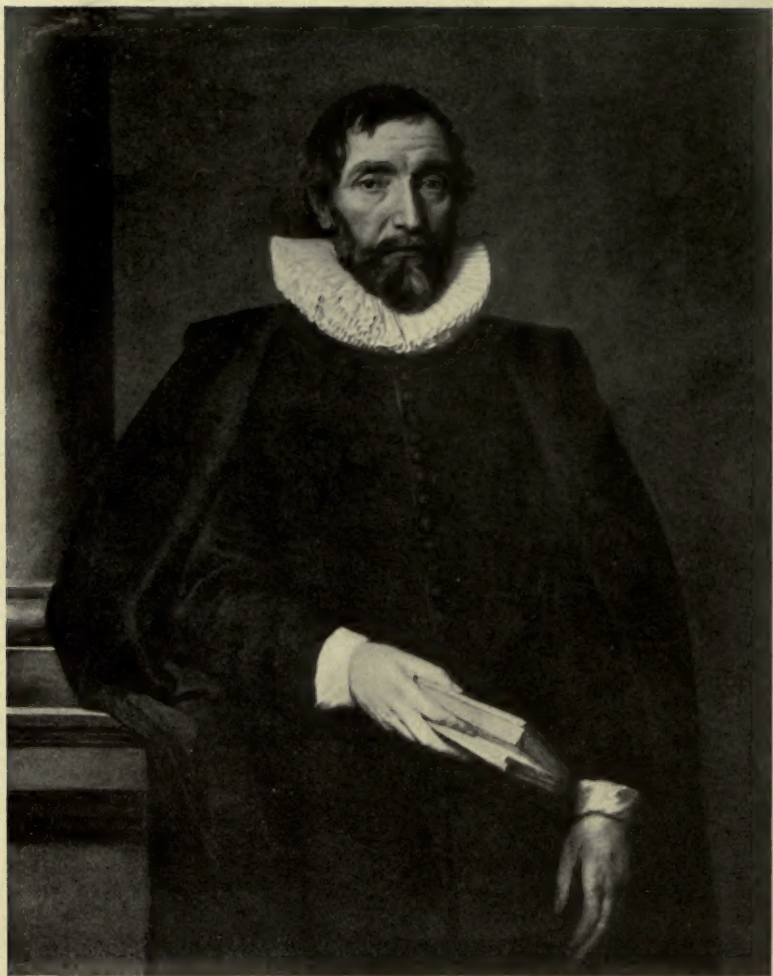


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ALEXANDER HENDERSON

TO
MY WIFE





ALEXANDER HENDERSON

FROM THE PORTRAIT AT VESTER
ATTRIBUTED TO VAN DYCK

ALEXANDER HENDERSON

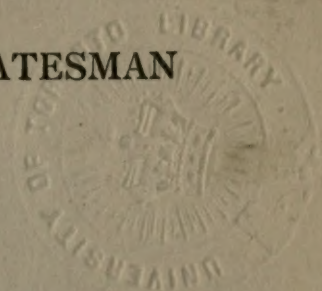
CHURCHMAN AND STATESMAN

BY

[SHERIFF]

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PREFACE

PROFESSOR MASSON placed on record his conviction that Alexander Henderson was 'all in all one of the ablest and best men of his age in Britain, and the greatest, the wisest and most liberal of the Scottish Presbyterians. They had all to consult him: in every strait and conflict he had to be appealed to. Although the Scottish Presbyterian rule was that no churchman should have authority in State affairs, it had to be practically waived in his case: he was a Cabinet Minister without office.' But he adds, 'He has never received justice in general British history.'

Henderson's title to live in history is the National Covenant of 1638, a conspicuous landmark in the history of Liberty. The discovery a few years ago by the late Mr. Fitzroy Bell, advocate, and Dr. Hay Fleming of a portion of Wariston's *Diary*, now admirably edited for the Scottish History Society by Sir George M. Paul, LL.D., Deputy Keeper of the Signet, is a fortunate one. It embraces the years 1637-8, and adds much to our knowledge of those times. But it has brought us loss as well as gain. It has torn out of the history of Scotland one of its most picturesque pages. Every Scotsman must regret that the story of the signing of the National Covenant by 'weeping multitudes' in Greyfriars churchyard—a story celebrated in Scottish art and letters—turns out to be fiction not fact.

It seems desirable in the interest of the general reader to attempt, with the aid of light from the sources now accessible, to revise the famous chapter in our annals of which it might have been said at any time before August 1914 that the Scottish nation then rose to its highest.

The years that lie between 1638 and the end of Henderson's life belong to an age which forms one of the great watersheds of history. The part played by the small nation north of the Tweed produced an immediate and decisive effect in England, and in all that crowded hour of Scotland's life Henderson was a central figure. He is an attractive figure too, a personality uniting in uncommon degree strength and charm, a man of whom we would gladly know more than has come down to us. We must still be content in the main with what we see of him in the public events of his career.

The *Life* by Aiton, published in 1836, is scarcely known to readers of the present day. The work of the late Mr. Pringle Thomson, whose promising career has unhappily been cut short by the war, does not profess to be more than a short sketch.

It is a pleasure to acknowledge much valued help received: my chief indebtedness is recorded at appropriate pages in the book.

R. L. O.

EDINBURGH,
July 1919.

CONTENTS

I

	PAGE
HENDERSON'S PRIVATE YEARS	1

II

THE GROWTH OF DISCONTENT

1. JAMES'S CHURCH POLICY	17
2. SCOTLAND UNDER CHARLES	47

III

THE REVOLUTION IN SCOTLAND

1. THE SERVICE BOOK: JULY—AUGUST 1637	57
2. HENDERSON'S CHALLENGE: THE 'COMBUSTION': AUGUST— NOVEMBER 1637	81
3. THE GREEN TABLES: NOVEMBER 1637—FEBRUARY 1638	96
4. A NATION'S SOUL AWAKE: HENDERSON AND WARISTON FRAME THE NATIONAL COVENANT: FEBRUARY—APRIL 1638	113
5. HAMILTON AS KING'S MANAGING MAN: MAY—NOVEMBER 1638	136
6. A REVOLUTIONARY GATHERING: HENDERSON LEADS THE GLASGOW ASSEMBLY: NOVEMBER—DECEMBER 1638	166
7. DEFENCE IN ARMS: A PACIFICATION WITHOUT PEACE: THE KING AND HENDERSON MEET: MARCH—JUNE 1639	190
8. ASSEMBLY AND PARLIAMENT, 1639: AUGUST—NOVEMBER	215
9. BLUE BONNETS OVER THE BORDER: AUGUST—OCTOBER 1640	227
10. HENDERSON IN LONDON: THE TREATY: CASTELL'S PETITION: NOVEMBER 1640—JULY 1641	240
11. THE REVOLUTION TRIUMPHANT: CHARLES IN SCOTLAND: AUGUST—NOVEMBER 1641	271

IV

THE REVOLUTION IN ENGLAND

	PAGE
1. IS SCOTLAND TO REMAIN NEUTRAL?	281
2. A 'HARD MORSEL': THE SOLEMN LEAGUE AND COVENANT	298
3. UNIFORMITY A FAILURE	319
4. HENDERSON IN THE WESTMINSTER ASSEMBLY	337
5. UXBRIDGE: A ROUND TABLE CONFERENCE	351
6. CHARLES AND HENDERSON: THE NEWCASTLE DISCUSSION	361

V

THE END	371
-------------------	-----

VI

HENDERSON'S WORK FOR EDUCATION	382
--	-----

VII

WRITINGS—PORTRAITS	391
CHRONOLOGICAL TABLE	397
INDEX	401

ILLUSTRATIONS

ALEXANDER HENDERSON	<i>Frontispiece</i>
<i>From the portrait at Yester attributed to Van Dyck.</i>	

ALEXANDER HENDERSON	PAGE 244
<i>From the etching by W. Hollar, 1641.</i>	

I

HENDERSON'S PRIVATE YEARS

It rarely happens that a man's working life is so sharply bisected into two parts of widely different character as was the life of Alexander Henderson.

The first and longer stretches for twenty-five years from 1612, when he settled at Leuchars, till 1637; the second and shorter lies in the nine years from 1637 to 1646. The first part was spent in the seclusion of a rural parish: in the notable year, 1637, he steps forward at once into the full glare of public affairs, and from that time the light beats on him without a break till the end.

The information which has come down to us about Henderson is provokingly meagre; for a man who filled so great a rôle in the making of history the meagreness is exceptional. He was unmarried and therefore left no family to preserve his memory; if he was a letter-writer, few of his letters have survived; he wrote no books, and left little record of himself in print. Our knowledge of his great predecessor, John Knox, owes much of its vividness and reality to the fact that he wrote a *History of the Reformation*, disclosing his mind with all its strength and failings, and supplying intimate touches which make the picture still live on the canvas. How much would we not give to have the story of the Revolution

from the hand of Henderson, to read his account of those marvellous days in February and March 1638 when the heart of a whole nation was melted, to have a graphic report of his discussions with Charles I. and his impressions of that strange character, 'so far stranger than fiction,' as we have Knox's of Mary. He moves through great events on the page of history, a central and commanding figure, but the story lacks the sense of nearness, the tone and colour which a personal narrative or private letters would supply.

His friend Principal Baillie of Glasgow University, a racy and entertaining letter writer, is an excellent second-best. Had he carried out his intention he would doubtless have given us a full-length portrait of the man. Writing in 1661 to the Earl of Glencairn, Baillie spoke of a 'true account I may readily give to the world and posterity of what is passed among us these thirty-six years,' but Baillie died in 1662, and the true account was never written. A few years earlier (in 1653) the Rev. Samuel Clarke, a London minister who published, in 1650, a collection of biographies under the title *The Marrow of Ecclesiastical History*, seems to have tried to gather information about Henderson for a new edition which appeared in 1654. He applied to Baillie, who sent the disappointing reply, 'I wish we had a narrative of another of ours also to send to you, I mean your sometime good friend Mr. Henderson, a truly heroic divine for piety, learning, wisdom, eloquence, humility, single life and every good part, for some years the most-eyed man in the three kingdoms.'

For many years after Henderson died the land

was filled with the din of controversy and the clash of arms. Not till quieter days came long after did men have leisure and inclination to write. It was then that the industrious Wodrow, in his manse at Eastwood near Glasgow, tried to gather materials for a life of Henderson. In 1723 he told a correspondent that he knew little or nothing about his family or younger years, but was endeavouring to collect information in Edinburgh and Fife. By that time all those who might have had first-hand knowledge had died out, and little more remained than a few traditions. 'I am ashamed,' he wrote, 'to give so lame an account of this extraordinary person.'

There is, in fact, very little to record. Alexander Henderson, who also spelt his name Henryson, was born in the year 1583, in the parish of Creich, in the north-east corner of Fifeshire, and probably in the village of Luthrie in that parish. It has been said his father was a feuar and that he was born of parents of good esteem, but beyond that we know nothing of his parents or of the home in which he was born and reared. Tradition says he was related to the Hendersons of Fordel, an old Scottish family, and tradition is supported by the fact that his remains were laid in the burial-ground of that family in Greyfriars Churchyard, Edinburgh. He very early discovered, says Wodrow, his inclination to learning and uncommon ability for it, and was sent to college at the age of sixteen, matriculating on 19th December 1599 at St. Salvator's College, St. Andrews. In 1603 he took his degree of M.A., and shortly thereafter was appointed a regent or teacher of philosophy, 'a pedagogue who read logic and rhetoric to his

scholars,' as he afterwards said of himself at Uxbridge. He filled the office of regent in 1611 when he is found subscribing the accounts of the Faculty of Arts as Quaestor. In March 1611, and again in February 1612, he was elected one of the Procurators of the Fife Nation for the election of a Rector, and in 1613 one of the three assessors to the Rector of the Fife Nation. He never ceased to cherish an affection for his *alma mater*, and took occasion later in life to prove his interest in her welfare and in the cause of higher education.

It is interesting to reflect that in his earlier years at St. Andrews young Henderson must often have seen and probably often heard the great Andrew Melville. Those were the days when the hand of King James lay heavy on the Church of Scotland, and his blows fell with calculated severity on its Presbyterian champion. In July 1602 he was ordered by a royal edict to remain in ward in St. Andrews, being allowed liberty of movement on the queen's intercession within six miles of it, a species of imprisonment which severely crippled his power of serving the Church. After the criminal trials arising out of the attempted Aberdeen Assembly of 1605, letters came from James summoning Melville and others to London to consult with His Majesty on the state of the kirk. In August 1606 he reluctantly quitted Scotland and never set foot in it again. The conferences at Hampton Court proved to be simply a device to lure the most powerful Presbyterian leaders into England; Melville soon found himself a prisoner in the Tower, and left it to go into exile for the rest of his days.

The man of the hour at St. Andrews was George

Gledstanes, formerly parish minister there, afterwards Bishop of Caithness, and now, from 1605, Archbishop of St. Andrews. He had been brought there at first, says an old writer who was no admirer of Melville, 'from being minister of Ardbirlett of purpose to balance and poize Mr. Andrew Melvill, and to guard the University students against his principles and to fence them from being tinged with his seditious and turbulent way; and many a hot bickering there was betwixt them thereupon.'¹ Certainly there is no trace of Melville's influence on the young divinity student. He was bred in the episcopal party at the University, and courted and won the favour of the primate who, as patron of the living, presented him to the parish of Leuchars, some five miles north of St. Andrews. It is said to have been the practice that, after eight years of teaching, a regent of philosophy was licensed if found qualified to preach the Gospel. Henderson was licensed probably in 1611, and settled at Leuchars in the spring of 1612. It is an interesting fact that the earliest letter we possess of Henderson testifies to his friendship with Gledstanes and his love of learning. It is dated May 4th, 1611, and in it he joins with the Rector, Deans of Faculties, and remanent Masters of the University (seventeen in all) in thanking King James VI. for the dedication of a University Library described as 'a common Bibliotheque,' 'the most reverend father in God the Archbishop of St. Andrews, our very prudent Chancellor, having informed us, whereby learning (through bypast penury of books somewhat decaying) may be to the benefit of the kirk and commonweal

¹ Martine's *Reliquiae Divi Andreae*, p. 251.

resuscitated.’¹ The records of the Synod of Fife show that Henderson was an ‘expectant’ in September 1611, and was admitted to Leuchars in 1612.² On 26th January 1614 he figures as a member of presbytery signing a certificate in favour of Mr. John Strang, afterwards Principal of the College of Glasgow.

But episcopal favour, though it secured for Henderson the parish, could not win for him the goodwill of the parishioners of Leuchars. Indeed it had exactly the opposite effect, for the men of Fife were noted for their strong anti-episcopal sentiments. Of this the young presentee had immediate and very practical demonstration when he arrived at the church for the induction ceremony. The parish church of Leuchars still stands where it stood then, its chancel and semicircular apse of pure Norman work, grey and weathered, looking across the bay to the towers of St. Andrews. The doors were found to be effectually secured, and no entrance could be gained by them. Then followed a scene not without parallel in the later days of Moderate rule : Henderson and his friends forced an entry into the church by breaking one of the windows.

Whatever his thoughts at the time may have been, the day came when he reflected sadly enough upon his manner of entrance on a sacred office. There can be no mistaking the personal reference in his words spoken as Moderator of the Glasgow Assembly of 1638 : ‘ There are divines among us

¹ *Letters and State Papers during the Reign of James VI.*, Abbotsford Club, p. 200.

² *Selections from the Minutes of the Synod of Fife*, Abbotsford Club, pp. 39, 210.

that have had no such warrant for our entry to the ministry as were to be wished. Alas, how many of us have rather sought the kirk than the kirk sought us. How many have rather gotten the kirk given to them than they have been given to the kirk for the good thereof. And yet there must be a great difference put between those who have lived many years in an unlawful office without warrant of God and therefore must be abominable in the sight of God, and those who, in some respects, have entered unlawfully and with an ill conscience and afterwards have come to see the evil of this and to do what in them lies to repair the injury. If there were any faults or wrong steps in our entry (as who of us are free), acknowledge the Lord's calling of us if we have since got a seal from heaven of our ministry, and let us labour with diligence and faithfulness in our office.'

For some years after his settlement at Leuchars our knowledge of him is very dim : we know nothing of his relations with his parishioners, his interests, occupations, or mode of life. But out of the dimness one great fact shines like a star. An event occurred which proved the turning-point of his life. On a memorable Sunday—the date is not known further than that it was probably before 1615—Robert Bruce of Kinnaird preached in the parish church of Forgan, a neighbouring parish to Leuchars. Bruce was a man of note in Scotland then, the most outstanding figure in the Church since Melville. Formerly one of the ministers of Edinburgh and a friend of King James, he had incurred the King's enmity owing to his attitude in regard to the Gowrie conspiracy in 1600. Exiled

from Scotland, then permitted to return but forbidden to resume his office and still pursued by the king's inveterate animosity, he was for some years in banishment at Inverness. In 1613 he received a licence to come south and live in his own house at Kinnaird. He employed his leisure in preaching for brethren of his acquaintance, and as a preacher was a great favourite with the people of Scotland. His enemies traduced him 'for behaving himself like a general bishop,' but it was they who drove him from place to place. Led probably by curiosity, Henderson betook himself that Sunday morning to Forgan Church and seated himself in the darkest corner. The seat was 'in the north corner under the west loft. It was so dark that in comparatively recent times a window was made in the wall behind it so that the occupant might see to read.'¹ Bruce, stately and dignified, appeared in the pulpit, and in slow impressive manner announced his text, 'He that entereth not by the door into the sheepfold but climbeth up some other way the same is a thief and a robber.' The words pierced like an arrow the heart of the man trying to hide in the dark corner. The text and the sermon that followed it perturbed and convicted him. From that hour he dated his first serious thoughts on religion; he spoke of it afterwards as the occasion of his conversion to God. It was the occasion also of his conversion to Presbyterianism; at once he threw in his lot with the party in the Church whose fortunes were low and apparently lost. Bruce's wandering ministry was a very fruitful one, but

¹ Hay Fleming, *Handbook of St. Andrews and Neighbourhood*, p. 113. Fleming's *Fulfilling of the Scriptures* (1871), pp. 430, 431.

judged by subsequent events that Sunday morning in Forgan Church was his greatest hour. He won Alexander Henderson, 'one of the greatest fishes caught in his net.'

Henderson became known and trusted in his own district by the party whose cause he had now espoused, and was soon on terms of warm friendship with surviving veterans such as William Scott of Cupar, who had received the dubious honour of a summons to London along with Melville. James had succeeded in engrafting Episcopacy on to the Presbyterian system. But he was not yet satisfied, he was bent on introducing into Scotland the ritual and ceremonies of the Church of England. His policy and methods will be considered in a later chapter; it is sufficient here to note Henderson's connection with James's proceedings. As one of the younger men he took naturally a subordinate position, but it is interesting to find him present on three notable occasions. The first was a General Assembly summoned by the king at Aberdeen in 1616: it sat from 13th to 18th August and resolved upon several constitutional changes—a new Confession, Catechism and Liturgy. But the Assembly, albeit managed by the Moderator, Archbishop Spottiswoode, who had succeeded Gledstanes in May 1615, was not courageous enough for the king. He said they had made a 'mere hotch-potch' of some matters; what he desired was the introduction of the practices which came later to be known as the Perth Articles, and it was only on the advice of the cautious Spottiswoode that he waived the matter for the present. Henderson seems to have been present both at the public diets and at private conferences where

much of the business was transacted.¹ Of the famous Perth Assembly of 1618 he was also a member. It sat only three days, from 25th till 27th August, but it set in motion controversies which did not end till James's laboriously reared ecclesiastical structure was thrown to the ground. Its work was the passing of the Five Articles of Perth: kneeling at Communion, private Communion in urgent cases, private Baptism in similar cases, Episcopal Confirmation, and observance of the Holy Days. Its members included representatives, summoned by the king, of the nobility, lesser barons and burgesses, as well as bishops and parish ministers. These last, it appears, were treated with scant courtesy, no seats being provided for them; 'they were,' says Calderwood, 'left to stand behind as if their place and part had been only to behold.' Spottiswoode was again Moderator, taking the chair without election; in order to overcome opposition private conferences were held, at which threats and intimidation were resorted to. In the end the Articles were carried by a majority, forty-five ministers voting a direct negative. Scott of Cupar, Carmichael of Kilconquhar, and Henderson were the chief opponents. The proposal was made that Scott and Henderson should be translated to Edinburgh.² The capital of Scotland was a stronghold of pronounced presbyterian sentiment, and it indicates Henderson's prominence at this early period as a champion of that cause that the town council should have nominated him for a vacancy. Nothing was done in the matter, but the council did not let it rest.

¹ Peterkin, *Records of the Kirk*, p. 139.

² *Book of the Universal Kirk*, Bannatyne Club, iii. p. 1167.

Two months later, on 21st October 1618, they approached the king by letter. 'The necessity,' they said, 'we stand in at this present of some ministers . . . moved us to suite at the late Assembly which your Majesty called at Perth the planting of Mr. William Scott, Mr. John Forbes, and Mr. Alexander Henrysone with us. Wherein we obtained nothing but a commission to certain of that number to concur with the Archbishop of St. Andrews for their transport to us, in case your Majesty's consent were procured, which we are now humbly to entreat at your Majesty's hands : And that your Highness will be graciously pleased to command the Archbishop to convene the rest and end that business to our desires, which we trust shall be to your Majesty's contentment and the weal of our church.' ¹ The Archbishop took care that nothing came of the proposal.

The Perth Articles began to cause trouble at once. Already in the spring of 1619 there was much non-conforming in Fife and elsewhere. At the meeting of Synod in St. Andrews on 6th April it was reported that Henderson had not given the communion according to the prescribed order. This was 'not of contempt, as he deponed solemnly, but because he is not as yet fully persuaded of the lawfulness thereof. He is exhorted to strive to obedience and conformity.' ² But he was a marked man, and in August of the same year he was called, along with William Scott and John Carmichael, before the Court of High Commission at St.

¹ *Original Letters relating to the Ecclesiastical Affairs of Scotland*, Bannatyne Club, ii. p. 584.

² *Selections from the Minutes of the Synod of Fife*, Abbotsford Club, p. 88.

Andrews on the charge of writing and publishing a book entitled *Perth Assembly*, adversely criticising the proceedings of that body. The offensive book was not their work, nothing could be made of the charge, and they were dismissed. Other and quieter methods were also tried to win men over. Spottiswoode, it is said, instead of using the common seal of his chapter, as he might have done, on documents requiring their consent, very often adopted the 'canny' device of having the chapter subscribe with him in charters and tacks. 'The reason is said to be that Mr. William Scott and Mr. Alexander Henderson being two of the chapter of St. Andrews he took the advantage to get them conforming *in tantum*'! ¹ Things were not going well for the king's policy; they were going so badly that the bishops were constrained to enter into conference with representatives of the clergy who refused to conform to the Perth Articles. The Conference met at St. Andrews for three days, November 23-25, 1619. Two archbishops and nine bishops were present with Lord Scone, who brought a letter from the king; the leading man on the other side was Henderson. The Conference broke up without result. It was an attempt to coerce, not to conciliate. The king's instructions were to depose all, without respect of persons, who refused to conform. The prelates declared that they had no great love for the changes proposed, and would have been content if the Church of Scotland had been without them, or if they had been left optional. But the command of the king must be obeyed, that was an end of the matter. Arguments of that sort, whether urged in the passionate

¹ Martine's *Reliquiae Divi Andreae*, p. 130.

language of Spottiswoode or the kindlier pleadings of Patrick Forbes Bishop of Aberdeen, were not likely to move men who believed in a self-governing Church. Lord Scone broke out into threats about reporting them to the king as refractory; that simply made matters worse. There was no real freedom of debate, the minority could only respectfully plead their convictions and state that they were prepared to abide the issue. The unhappy bishops let Scone see that they did not like the work nor admire his methods. They told him the brethren were quiet, honest and modest men, and they would ask the king to have patience.¹ The Conference was not followed by any of the dire results which the king had threatened, and things continued very much as before. On the whole the bishops, though they talked loudly about conformity and occasionally took some steps, shrank from adopting a policy of extreme measures, and what measures they took met with very meagre success.

It does not appear that Henderson was further molested. We may think of him working in his quiet parish, cultivating his gifts, storing his mind with the learning of the day, and meeting brethren at fasts and communions and at conferences winked at by the bishops. We may be sure he was a kindly father to his people, caring about their worldly affairs too. That he interested himself in one bit of parish business, quite important in its way to the worthy folks of Leuchars (for roads and bridges are essentials of civilisation), we know from an entry which can still be read in the Treasurer's book in St. Andrews town safe. 'Item

¹ Calderwood's *History of the Kirk of Scotland*, Wodrow Soc., vii. p. 407.

given to Mr. Alexr. Hendersone at direction of the Council for reparation of the Inner Bridge, conform to an act of Council according to his discharge xl lib.' The Minute-books of St. Andrews town council go back no further than 1656, but the Treasurer's book in which this appears covers only the year 1624. We have, therefore, no further knowledge of the matter, but it apparently refers to repairs of the bridge over the Moutry Burn between Guardbridge and Leuchars. Henderson and his parishioners were directly concerned because the bridge is in Leuchars parish. The Moutry Burn flows into the estuary of the Eden, and the road between St. Andrews and Leuchars crosses both it and the river Eden.

Repeated efforts, all of them unsuccessful, were made to induce him to move from Leuchars. In view of his subsequent relations with Aberdeen it is noteworthy that in April 1623 the town council of that burgh appointed a commissioner to plead for his translation to one of the churches of Aberdeen.¹ It is said that in 1631 he was called to Stirling, in 1632 to Dumbarton. Authentic evidence survives of one such effort in two letters written by him about this time to Marie, Countess of Mar. She had apparently proposed to him translation to another parish of which Lord Mar was patron; both letters refer to this subject. There is no further clue as to the place nor as to the nature of the objection raised. The earlier letter is in these terms :

MADAME,—I doubt not but before this time the causes of my resolution and the impediments of my transportation

¹ *Extracts from the Council Register of Aberdeen (1570-1625)*, Spalding Club, ii. p. 384.

are made known unto your Ladyship by them who can dilate them more impartially than it may be your Ladyship thinks I could do myself. They can tell your Ladyship and I think I have declared ere now how willing I was, and not only how willing but how desirous I was to have given way to your Ladyship's so earnest desire and dealing if one only objection could have been answered which myself neither did make nor beseemed it me to make, but they meeting the objection and when they had long thought upon it finding no way how to answer it, did resolve that whatsoever was my particular desire and inclination, yet it was nearest the will of God and most for the well of the kirk that I should not remove, wherein I behooved to rest and must intreat your Ladyship to do the like. If my lord and your Ladyship had been in any other place than Stirling I had come and made my excuse myself, which I might have done confidently because I have an inward testimony how willing I was to have done all that lay in my power to give his lordship and your ladyship satisfaction, and shall while I live remember with humble gratitude and with my prayers to God the respect and favour I have experienced. The most high God bless you and yours, and give unto you your heart's desire :—Your Ladyship's servant,

ALEXR. HENRYSON.

LEUCHARS, *June 26, 1631.*

The truly noble and most Christian lady, my lady the Countess of Mar, these.

The second letter is as follows :—

MADAME,—I have delayed this time past to write an answer to your Ladyship's letter, thinking to have sent one to my Lord and your Ladyship, for whom it had been more proper than for me to have dilated the causes of the inexpediency of my removal from this part of the country where I now serve. But now having this occasion I have thought fit, till your Ladyship receive information, to intreat your Ladyship to acquiesce concerning this particular in God's good providence and in the resolution of such as can judge best what is most behooveful for the good of the whole, which should be preferred to the benefit of any particular congregation. Madame, I were the un-

worthiest of all men if I should be led in this by mine own respects, and God knows how willingly I would run to please my Lord and your Ladyship in everything wherein God is not displeased, neither do I doubt, when your Ladyship thinks upon it, but your Ladyship will find others more meet for that charge that I can be; and therefore most humbly beseeching your Ladyship to bear with me and to use me as before in what I can be serviceable, I recommend my Lord, your Ladyship, and this whole purpose to the Lord's care, and shall ever continue,—Your Ladyship's true Servant

ALEXR. HENRYSON.

CUPAR, *June 16, 1632.*¹

The truth is he was not ambitious and he loved his country parish. It was of those quiet and fruitful years at Leuchars he was thinking, when long afterwards he wrote in the dedication of the sermon preached before the Lords and Commons in St. Margaret's Church, Westminster, on 18th July 1644—one of the few glimpses he gives us of his inner self—'When from my sense of myself and of my own thoughts and ways . . . I begin to remember how men who love to live obscurely and in the shadow are brought to light, to the view and talking of the world, how men that love quietness are made to stir and to have a hand in public business, how men that love soliloquies and contemplations are brought upon debates and controversies . . . the words of the prophet Jeremiah come to my remembrance, 'O Lord, I know that the way of man is not in himself.'

When the hour of destiny struck it found him a man of fifty-four, mature in powers and strong in conviction on the questions which were soon to stir Scotland to its depths.

¹ *Fourth Report of the Royal Commission on Historical MSS.*, pp. 527-8.

II

THE GROWTH OF DISCONTENT

1. JAMES'S CHURCH POLICY

EPISCOPACY in the Protestant Church of Scotland was suspect from its birth. Its introduction had nothing to do with the interests of religion or with the well-being of the Church.¹ The Church herself did not desire it, it was brought in by pressure from without for political and financial reasons. The ideal constitution of the reformed kirk outlined in the First Book of Discipline and presented to the State in 1560 assumed that the patrimony of the old Church would be made available for the support of the ministers, maintenance of schools, and relief of the poor. But this ideal was never realised. The Scottish nobles had other and more selfish views as to the disposal of the revenues, and the best that could be got was an arrangement in 1561, by which one-third of those revenues was to be used for providing stipends for the ministers and for general Crown purposes, the other two-thirds to remain in the hands of the old possessors. The bishops and other dignitaries of the old Church, though without spiritual jurisdiction, still continued to be known by their old titles and to enjoy much of their old wealth. As time passed and they

¹ Cp. Wishart's *Deeds of Montrose*, ed. Murdoch and Simpson, xxxviii. *note*.

began to die off the question arose what was to be done with their revenues. The bishops were also one of the Estates of the realm sitting and voting in Parliament; how was their place in the constitution to be filled? It was urged that if Church and State could agree the spiritual Estate might be maintained in Parliament, a closer conformity to the Church of England would be secured, and the episcopal revenues, or what remained of them, might be saved to the Church. In January 1572, when Mar was regent, an ingenious scheme was devised by Morton. A Church convention was held at Leith; it appointed commissioners to meet with others named by the regent to treat 'anent all matters tending to the ordering and establishing of the policy of the kirk.' In the result the commissioners advised and the convention approved, among other things, that 'in consideration of the present state' the names and titles of archbishops and bishops were not to be altered, but were 'to stand and continue in time coming as they did before the reformation of religion.' It is worthy of note, however, that all archbishops and bishops were 'to be subject to the kirk and General Assembly.' The new polity was repugnant to Knox. He was no believer in the divine right of Presbytery, but he feared that the bishops might become creatures of the State. He however advised the Assembly to accept the bargain *ad interim*, much as he disliked it. Very soon his worst fears were realised, and a long and troublous chapter for Church and State was opened. Morton immediately put the new polity to the use for which he intended it. Notorious for greed, he had obtained the benefice of St. Andrews, vacant by

the execution of Hamilton the late archbishop, and he at once nominated John Douglas, Provost of St. Mary's and Rector of the University, his successor in the See under a compact which gave him only a small part of the revenues. On 10th February 1572 Knox preached at St. Andrews, and Morton who was present asked him to inaugurate the new prelate. Knox refused. He was within a few months of his end, but his old fire blazed up, 'in open audience of many then present he denounced anathema to the giver, anathema to the receiver.' The device which so aroused his indignation was a fraud under the thinnest disguise. 'My lord getteth the benefice and the bishop serveth for a portion out of the benefice to make my lord's title sure.' The better sort of ministers would have nothing to do with such a thing, only weak or ambitious men were willing to become instruments of so dishonest a policy. As for the laity, they dubbed it with a nickname humorous and contemptuous which every peasant in Scotland understood. The bishops were immortalised as tulchan bishops. 'A tulchan is a calf's skin stuffed with straw to cause the cow give milk.'

Episcopacy had made a bad beginning; its second phase was scarcely an improvement. James, born in 1566, was still a child, but as he grew to manhood there grew up in his mind that conception of absolute monarchy which it became the persistent aim of his life to realise. Another conviction which strengthened within him was that episcopacy, government of the Church by bishops chosen by himself, would enable him to realise that kind of kingship better than presbytery. It became a rooted principle with him that

presbytery 'agreeth as well with monarchy as God with the devil.' As a matter therefore of State policy and not from any belief in the divine right of bishops, James early set himself to weaken and destroy the presbyterian system; if he could not do that completely he would at least see that what remained was controlled and kept in subjection by bishops subservient to his will. It cannot be said that this aim was pursued without deviation; at times he was diverted from it by the stormy current of events, but he returned to it again, and it remained a ruling passion to the end.

We have to remember that when James set about playing the autocrat the only barrier in his way was the Presbyterian Church. This is the reason why the struggle in Scotland against arbitrary power was in the main a struggle between king and Church not between king and Parliament. In England Parliament was the guardian and champion of popular liberty. But the Scottish Parliament filled no such rôle, it played a subordinate part in Scottish history. Its constitution was mainly feudal; from the fourteenth century royal burghs were represented in it, but their commissioners often absented themselves, finding attendance to be a burden, and in the committees where much of the business was done they had little real influence. Supreme power was sometimes in the hands of a strong king, sometimes of a powerful noble or group of nobles, sometimes of the General Assembly, but Parliament was subservient to the ruler for the time being, it followed but did not lead. It performed useful administrative functions, but it did not govern or guide the country.

The Reformed Parliament of 1560 may indeed claim to have shown real power and leadership. It passed acts abolishing the papal supremacy and the mass. But even then it was following, not leading. It was from Knox and his fellow reformers that the request came to Parliament to recognise by its legislation the change which had already in fact taken place. A new power had arisen in the land. The reformed faith had awakened the nation into a new life. An influential part of the nobles had accepted it, the smaller barons and the townspeople had heartily embraced it. These all were represented in the General Assembly, where the life of the new Church in an organised form found expression. The General Assembly stepped into the first place in the national life. It was not a gathering of ecclesiastics alone. Its strength lay in the fact that it contained clergy and laity, peers, smaller barons, burgesses, all of them popularly chosen office-bearers. It was representative of the whole Christian life of the nation and it was democratic in a very real sense. In it Scotsmen learned the value of debate, and by its means a public opinion was made possible. The reformed faith created a middle class, drawing together in common sympathy the smaller barons and the burgesses. In 1560 those classes claimed the right to which they had previously been indifferent to sit and vote in Parliament, and under their influence the Parliament of that year responded to Knox's request and gave effect to popular opinion. The Church did for Scotland what the Parliament did for England. From the Reformation to the Revolution the General Assembly largely moulded her history so long as

it was permitted to meet.¹ In the time of Mary and James and in the early part of Charles I's reign Parliament fell practically into the hands of the Crown. It was controlled by the Lords of the Articles, a committee which drew up the 'articles' or bills to be laid before Parliament: that committee, owing to the peculiar mode of its election, was easily filled with men willing to oblige the king. James revived a former practice by which it superseded Parliament, which met only on the first day of the session to choose the committee, and on the last to pass its Articles into Acts. He bought off the opposition of the nobles by large grants of Church lands and they gave no trouble in his time. The General Assembly alone offered resistance to his measures, and the history of his reign in Scotland is largely the story of the struggle between the king and the Assembly. If the king put forward high claims to supremacy the Church under Melville, repudiating the experiment of 1572, made large claims in the name of spiritual freedom and interpreted her claims widely. He taught the divine right of Presbytery, and in 1581 the Assembly adopted the Second Book of Discipline, which sharply differentiated the ecclesiastical jurisdiction bestowed on the Church directly by her Divine Head from the civil power. The Church court known as the presbytery was fully developed, and when the hierarchy of her courts was completed the Church both claimed and wielded great power in the land. The principle of spiritual independence is a great and vital one, but in the conflicts which arose the Church often pleaded her case too high.

¹ Rait, *The Scottish Parliament*, p. 98. Terry, *The Scottish Parliament* (1603-1707), pp. 105-7.

It maintained, when a minister was called to account before the Privy Council for words spoken in the pulpit alleged to be of a seditious or treasonable nature, that the Church courts were the proper tribunal in the first instance for trying the case, and it declined the jurisdiction of the Council until the matter had been remitted to them. Such a plea would not be made to-day, and if made would not be listened to. If a preacher in the pulpit uses treasonable language or if he slanders an individual, he is answerable directly in the criminal or civil courts like any other citizen without regard to the action of Church courts. No fair analogy, however, can be drawn between Melville's day and ours. The Church had much justification then for taking action which would be absurd and indefensible to-day. Religious questions entered deeply into the politics of the time, and the Church was entitled to express its opinion and guide its people on these. Scotland was overwhelmingly Protestant but the reformed faith and Church were not yet safe from attack. The vast power of Spain lay like a shadow over the land, popish plots were frequently hatched, and James's Protestantism was suspected (and justly suspected) to be little more than skin-deep. There was no press to give voice to public opinion and no discussion in Parliament. The Church often rendered great service on public questions, and her leaders deserve admiration and gratitude for their fearless courage. They spoke out as they did, not as Buckle suggests to cover with contempt the great ones of the earth, but to safeguard the liberties, religious and civil, which they held dear. History shows too many examples of

servility to the civil power on the part of churchmen and the ruinous consequences which follow to religion and to the State. The persistent assertions of royal absolutism had to be met with a rugged and even pugnacious spirit of independence if it was to make any impression. Melville might be choleric and impulsive, but 'his stout words in defence of his convictions and in defiance of authority arbitrarily used have in them the ring of a powerful individuality which impressed itself on his countrymen, and bequeathed its inspiration to their resistance to coercive methods in Church and State.'¹

One of the earliest struggles was over the case of Montgomery, tulchan Archbishop of Glasgow, in 1581. In May 1584 came a series of Acts, popularly nicknamed the 'Black Acts,' aimed at the destruction of the Church's liberties. They declared the king head of the Church as well as of the State, and forbade General Assemblies to meet without his sanction. Though the Black Acts remained unrepealed time brought its revenge to the humiliated kirk. In 1592 it obtained what it regarded as its Magna Charta, an Act ratifying all previous legislation in its favour, and formally sanctioning its presbyterian constitution. The king had not become a convert, it was only under the compulsion of circumstances that he agreed to this. Scotland was in a state of wild excitement and confusion. The Earl of Moray—'the bonny earl'—had been murdered at Donibristle and his house burned by his enemy Huntly, the leading papist in the country. The king and his chancellor, Sir John Maitland of Thirlstane, were suspected of having abetted the outrage. It was

¹ Mackinnon, *A History of Modern Liberty*, iii. p. 211.

at that juncture that James was advised by Maitland to consent to the passing of the memorable Act, either as an attempt to allay suspicion against himself or because Maitland, a sagacious minister, had become satisfied that a presbyterian settlement was in the real interest of the country. Probably both motives played their part.¹

¹ This Act, 1592, cap. 8, possesses more than historical importance; a material portion of it, and of the earlier Acts, 1567, cap. 12, and 1579, cap. 69, still remain on the statute book and form part of the present constitution of the Church of Scotland. They illustrate sixteenth-century notions of the relation between Church and State. The State was supposed to be able and to have a duty to distinguish between 'the true kirk' and others. To the favoured Church, 'the true and holy kirk,' the State 'declared and granted jurisdiction.' Its action was frankly intolerant. It roundly declared there was 'no other face of kirk or other face of religion' within the realm of Scotland, and 'no other jurisdiction ecclesiastical acknowledged within this realm other than that which is and shall be within the said kirk.' The Act of 1592 was an immense improvement on the treatment which the Church had previously been receiving at the hands of the State, and the Church was deeply grateful for the boon. It was not till the middle of last century that it was judicially interpreted and expounded. It was then held that the Act ratified the liberties of the Church, 'not as inherent in it by any divine right, but as given and granted by the king and his predecessors and declared by Acts of Parliament.' 'The statute gives the Church a power of deposing for good and just cause deserving deprivation, and they may pronounce censures specially grounded and warranted in the Word of God.' 'Statute has specially described the species of authority given to the Established Church. In these statutes I find no legislative power granted to the Church placing any changes within their competency.' 'The Church court cannot go one inch beyond the limits which the law has assigned to them.' 'Neither is there any one expression which vests in the Church any legislative authority whatever by which any changes can be made in discipline, government, doctrine or constitution, or by which any alterations whatever can be introduced different from the nature and elements of the Establishment as originally created and as it is known to the Courts of Law. . . . The statutes are framed with most jealous and deliberate caution, and I think they settle and establish the Church of Scotland within limits the most precise and with authority expressly limited to purposes therein set forth.'

Did Henderson and his contemporaries so conceive the Church's liberties? An answer is suggested by the significant fact that in 1647

The year 1596 marks another turning-point in James's church policy. He was now thirty years old. Full of self-confidence, he was resolved to be his own minister. Thirlstane had disappeared and there was to be no successor, only 'such as he could correct or were hangable.' For four years he had suffered Presbyterian Church government and freedom of speech ; he was now resolved to undo the legislation of 1592 and reintroduce the episcopacy on which his heart was set. He did not openly avow this policy. On the contrary his methods were cautious and gradual, he took skilful advantage of every opportunity that presented itself and was content to gain a step at a time. His moves were wary and diplomatic, betraying throughout a knowledge of the difficulty of the task, and of the toughness of the people he had to deal with. It became known that he meant to recall two lords, Huntly and Errol, who had been exiled for complicity in a popish plot. The General Assembly of March 1596 thundered its denunciations, and a minister of St. Andrews, David Black, used highly reprehensible language from the pulpit. On 30th November he was prosecuted before the Privy Council for seditious utterances, and tendered a plea declining the jurisdiction of the Council as incompetent in the first instance. The plea was a bold one ; it raised the whole question of jurisdiction between the Crown and the kirk. The answer was prompt :

the General Assembly, at its own hand, set aside the Church's Confession and adopted another newly made at Westminster. Signs are not wanting to-day, both in Scotland and England, that union among Churches and a satisfactory relation between Church and State will depend largely upon the recognition of the right of self-government in all Churches.

two Acts of Council, one dissolving the Commission of Assembly then sitting and ordering sixteen of the clerical leaders to leave the town, the other forbidding all future convocations of the clergy by private or presbyterial authority. Popular sympathy was with Black. On 17th December the excitement reached a climax : a foolish tumult broke out in Edinburgh on the rumour of a popish plot, the cry was raised that the king and judges who were sitting in the Tolbooth and the presbyterian leaders in the neighbouring East Kirk were to be massacred. This tumult gave the king his opening ; he issued an Act of Council removing the law courts from Edinburgh, degrading it in fact from the position of capital of the kingdom. In a fortnight he returned from Linlithgow, to which he had retired, but only after forcing the city, which had begged for peace, to agree to humiliating conditions before he restored it to royal favour. Some of the clerical chiefs fled to England ; the whole body was thoroughly cast down and disheartened.

The king took care to follow up his advantage. In 1597 he dealt the Church two blows which broke her power. On his own authority he summoned two Assemblies, the first at Perth in February, the second in May at Dundee, arranging to have an unusual number of northern brethren present, less ardent in their presbyterianism and more amenable to royal management. The upshot of these two Assemblies was the appointment of a standing committee of fourteen ministers to advise the king generally on all matters concerning the welfare of the kirk. The fourteen chosen were of course most of them men of the less extreme

and more courtly type. Their appointment was rightly regarded as a matter of first importance; it really subverted the presbyterian system and, in the words of James Melville, 'devolved and transferred the whole power of the General Assembly in the hands of the king and his ecclesiastical council.' The results were soon apparent. They presented to the Parliament which met in December 1597 a petition asking that ministers should have a seat and vote in Parliament. What they had in view was a parliamentary representation of the whole of the clergy by commissioners either all clerical or partly lay elders, so that the affairs of the kirk might thereby receive more attention from Parliament. This was a dangerous step for the Church and it was resisted by the stricter and more clear-sighted presbyterians. Advantage was taken of it by the king to induce Parliament to pass an Act of a wholly different kind, declaring that 'all ministers provided to prelaties should have a vote in Parliament.' It was plain from this that he meant to bring bishops back to their old pre-eminence and power, but to make matters more palatable it was added that presentees to bishoprics were to continue to act as pastors, and that there should be no prejudice to the existing system of Church judicatories.

The following year, 1598, saw a further advance along the same road. An Assembly held at Dundee in March decided by a majority of ten that it was expedient for the welfare of the kirk as Third Estate of the realm that the ministry should sit and vote in Parliament, that their number should be fifty-one or thereby, according to the number of the bishops, abbots and priors 'in the time of

the papistical kirk.' Then in July came an extraordinary ecclesiastical Convention at Falkland for the purpose of completing the arrangements for the representation of the clergy in Parliament. It agreed to recommend to the next General Assembly that when a prelacy fell vacant the kirk should name six, of whom the king should appoint one. Then followed a variety of 'cautions' and restrictions intended to preserve as much as possible of presbyterian parity and of the power of the kirk. Most significant of all is the careful avoidance of the term 'bishop': the person elected is simply 'commissioner' for a certain district; he is to propose nothing in Parliament without express direction from the Church, and is to give an account of his proceedings to the General Assembly; he is to fulfil all the duties of the pastoral office and be subject like other ministers to the jurisdiction of the Church courts. The Church was fighting a losing battle. Meanwhile she saved her face by paper conditions which she knew could not long stand and which the king intended should shortly disappear. 'To have matters peaceably ended,' says Spottiswoode, 'the king gave way to these conceits, knowing that with time the utility of the government which he purposed to have established would appear.'

The Assembly following the Falkland Convention did not meet until March 1600 at Montrose. In the interval the king summoned a conference of leading clergy at Holyrood in November 1599. He was partial to meetings of this smaller kind called by himself; they enabled him to take soundings of clerical opinion and possibly to

manage men more conveniently than could be done in the larger assemblies. His purpose in the present case was to discuss in an informal way some important matters preparatory to the ensuing Assembly. He himself took a leading part in the discussion. The main questions were whether it was consistent with the clerical office that ministers should undertake positions of civil authority, whether if there should be prelates or parliamentary clergy they should be elected annually or *ad vitam aut culpam*, whether such clergy should have the name of bishops or some other name. It is said there was a disposition to acquiesce in the king's views, but the redoubtable Andrew Melville was present and his influence on the other side was strong. The Montrose Assembly, when it met in the following March 1600, adopted the recommendations of the Falkland Convention. James went to Montrose and used his influence especially over the northern ministers : Melville was there too, equally active no doubt, though not a member. The Assembly also considered the question of the tenure of office of the kirk commissioners in Parliament, and decided by a small majority that it should be from year to year only. This was still a long way from the episcopal government for which the king was working, yet it is true that the Trojan horse had been brought in—'busked,' says Calderwood, 'and covered with caveats that the danger and deformity might not be seen.'

In August of this year, 1600, there happened the mysterious affair known in Scottish history as the Gowrie Conspiracy, and James very skilfully utilised it as a new instrument for the subjection of the clergy and the advancement of his church

policy.¹ There was in various quarters considerable scepticism as to the version of that affair published by the king, but he strangely enough insisted that the clergy must believe in the conspiracy, and also must make public profession of that belief. Within a week the five ministers of Edinburgh, being among the doubters, were suspended from their charges and banished from the town, and shortly thereafter five others, more sound or compliant on the question, were appointed to officiate in their places till other arrangements were made. In October another Convention was summoned to meet at Holyrood, consisting of the Church commissioners appointed by the last Assembly together with delegates from the different Synods. It was called to advise the king on various Church matters but chiefly as to what should be done with the five offending ministers. Four of the five had already submitted, the fifth, Robert Bruce whose acquaintance we have made, stood out and was under sentence of banishment from Scotland. The fate of the other four was discussed, and a deputation was sent to them to ascertain whether they would gratify the king by consenting to accept charges out of Edinburgh. The deputies sent were three men all belonging to the staunch Presbyterian party. It was while these stalwarts were absent on this errand that the king carried his great *coup*. A proposal was brought forward and rapidly agreed to nominating three parish ministers as diocesan bishops. David Lindsay of Leith, Peter Blackburn of Aberdeen, and George Gledstanes of St. Andrews, were to be respectively bishops of Ross, Aberdeen and Caithness, the only three sees the temporalities

¹ *Register of Privy Council*, vol. vi. pp. xxiv.-xxv. (Introd.).

of which were not then in the hands of laymen. It was by this discreditable manœuvre that diocesan episcopacy was brought in. No long time passed before two of the new bishops were appointed to offices of civil authority in addition to their seat in Parliament : Lindsay was admitted to the Privy Council in December 1600, Gledstones in November 1602.

When James migrated to England in 1603 he did not forget the Church of Scotland. His experience of an Anglican atmosphere was so agreeable that he became if possible the more determined to carry on and complete the assimilation of the smaller Church to the larger, and his enhanced power and dignity enabled him to do this with vastly greater effect. The Scottish Church still retained her hierarchy of Church courts. If he could crush the General Assemblies he believed the whole system would fall to pieces. He resolved therefore to strike a blow at this vital spot. The next Assembly had already been appointed to meet at Aberdeen in July 1604. When that time approached it was announced that by royal instructions the Assembly was not to be held. Three ministers put in an appearance and lodged a protest, and very soon excitement spread through the presbyteries and synods. James answered by a proclamation forbidding extraordinary meetings of the ministry ; in reality he was asserting his right to postpone General Assemblies as he pleased. The first Tuesday of July 1605 was then fixed as the date of meeting. Again it became known that the king had countermanded the meeting and the excitement was greater than before. A number of presbyteries had

appointed their representatives, and this time they intended to go at all hazards and assert their rights by constituting the Assembly. An act of Privy Council ordered a charge to be given to all such to desist from the attempt under pain of horning, in other words being denounced as rebels. On the 2nd of July nineteen parish ministers met in Aberdeen as representatives from their presbyteries, constituted themselves an Assembly, appointed a moderator and clerk, drafted a reply to the Privy Council's letter, named a date for an adjourned Assembly in September and then dissolved. Three days later ten more arrived who had been delayed by stress of weather. They adhered to all that had already been done by their brethren, and had their adhesion formally witnessed and registered.

James was furious, and ordered the offenders to be proceeded against for 'rebellion.' Fourteen of them stood their ground and were tried in October before the Privy Council. They took the bold plea that the Privy Council was incompetent to try them for their conduct in so purely an ecclesiastical matter as the holding of a General Assembly. They were of course condemned and sent to prison to await the king's pleasure. But worse remained. The king resolved to treat the declinator given in by the fourteen as high treason, and now ordered them to be tried on the capital charge. In January 1606 six were brought to trial before an assize court at Linlithgow, and by means of prodigious efforts on the part of the Earl of Dunbar, who came down from England to manage the matter, nine out of fifteen jurymen were induced to return a verdict of guilty. The

next stroke in the policy of terror was to summon eight of the leading ministers to appear in London in September 1606, ostensibly for the purpose of conference on the affairs of the Church. The real purpose was to entrap the two Melvilles, who had supported by their presence and advice their six brethren on their trial for treason, and to clear them off the field. James Melville was forbidden to set foot in Scotland again, Andrew was kept in prison for some years and then driven out of the kingdom. On 6th November 1606 the six who had been capitally condemned were put on board a ship at Leith and sent, like Melville, into lifelong exile. One of the six was John Welsh of Ayr, Knox's son-in-law.

By these blows James had now, as he thought, effectually quelled the spirit of the Church. He would be plagued no more by the voice of General Assemblies proclaiming their inherent jurisdiction and refusing to acknowledge his supremacy in matters ecclesiastical. With an easier mind and with less disguise he might proceed to complete the diocesan episcopacy which had been so cautiously begun. In July 1606 Parliament had passed two Acts which advanced this policy. The first extended the royal prerogative over all estates, persons, and causes whatsoever. The second repealed an Act of 1587 annexing ecclesiastical property to the Crown, and restored the estate of bishops to their ancient honours and dignities. This legislation did much to enhance the social importance of the titular Scottish bishops, who by this time had increased in number to ten. But it was an essential part of James's *modus operandi* to use the kirk itself to carry out his plans: he

had the wit to clothe his proceedings, however autocratic they might be, with at least a decent semblance of legality. He employed again his favourite device of a clerical Convention nominated by himself. It met at Linlithgow in December 1606, and contained one hundred and thirty-six of the clergy, with members of the nobility and Privy Council. It adopted a new scheme of the king for Constant Moderatorships. Presbyteries were to be presided over not as hitherto by a member elected for a certain period, but by a bishop or some other minister as perpetual president. The scheme of course struck at the principle of presbyterian parity, it was chosen for that reason. The fifty-three presbyteries were provided with as many constant moderators who were thereby raised to a certain position of pre-eminence among their brethren, and the king was careful to refer in future to the Convention by the glorified title of the General Assembly at Linlithgow. The records of the Privy Council reveal considerable conflict in the Church over this new bone of contention, but the conflict grew sharper when it appeared, as early as April 1607, that the king meant to stretch the act of the Linlithgow Convention to cover Constant Moderatorships in the Provincial Synods. The Constant Moderator of a Synod was to be a bishop wherever there was one, and this meant nothing less than a reintroduction of diocesan episcopacy. By October 1607 James had increased the episcopate to the full pre-Reformation number: the bishops were now members of the Privy Council, and in State gatherings and public documents they ranked with the highest of the nobility. In 1610 two Courts of

High Commission were established (consolidated in 1615 into one) to try all sorts of ecclesiastical offences. An archbishop and any four of the clergymen or laymen named in the Act were to constitute a court. They could suspend, deprive, fine, and imprison 'offenders either in life or religion whom they hold any way to be scandalous.'

In June of the same year, 1610, a General Assembly was at length held after repeated prorogations. It sat in Glasgow, and the results were a triumph of skilful management on the part of the Earl of Dunbar, the king's commissioner, aided by the prelates. The acts passed acknowledged the right of calling General Assemblies as belonging wholly to the king's prerogative, converted the Provincial Synods into Diocesan Synods with the bishops as moderators *ex officio*, bound the clergy to take an oath on admission to livings acknowledging the royal supremacy in Church as well as in State, and defined and secured the powers of the bishops within their dioceses by various regulations. It is true presbyteries were not actually abolished, but in the language of the Assembly's acts the word presbytery was carefully avoided and men were discouraged even to use the name. The effort so made to 'erase the word presbytery from the Scottish vocabulary' marks the extreme historical importance of the Glasgow Assembly of June 1610.¹

So remarkable a harvest was not reaped even in the then enfeebled condition of presbyterian sentiment without the most careful preparation of the ground. The Assembly was called on the short notice of a fortnight, the clerical members were

¹ *Register of Privy Council*, viii. pp. 473-5 (note).

nominees of the king through the bishops, and the lay members were also appointed by the king. The business was so managed as to prevent any small amount of presbyterian opinion from finding expression, and money was freely used to secure the concurrence of the clergy. 'It is our pleasure,' so runs the royal letter to the Earl of Dunbar, 'that against this ensuing Assembly to be kept in our city of Glasgow you shall have in readiness the sum of ten thousand merks, Scottish money, to be divided and dealt among such persons as you shall hold fitting by the advice of the Archbishops of St. Andrews and Glasgow.'¹

The episcopacy thus set up could not claim after all to be more than a sort of parliamentary episcopacy. Whether or not it would have satisfied the earlier divines of the Church of England, it did not square with the High Anglican theory now coming into vogue. James desired the finishing touch put to his handiwork, and to that end Archbishop Spottiswoode and two bishops were summoned to London in September 1610 to receive episcopal confirmation at the hands of three English bishops: they in turn transmitted the virtue of the episcopal touch to their Scottish colleagues. The Parliament of 1612 formally ratified the acts of the Glasgow Assembly of 1610 establishing episcopacy, and repealed the presbyterian Magna Charta of 1592.

Thus was completed in 1612 King James's work of remodelling the ecclesiastical polity of Scotland to this extent that he had grafted the office of bishop on to the presbyterian system. For four years thereafter no General Assembly was held.

¹ *Register of Privy Council*, viii. p. 844.

But the inferior Church courts, the kirk-sessions, presbyteries, and synods, still continued to meet. And—what touched the laity most closely—the presbyterian mode of conducting public worship, the use of Knox's Book of Common Order and of the black Geneva gown remained unchanged.

But the king was not content to leave well alone. Had he stopped at this point it is possible the future history of Scotland and England might have been very different. Now he opened a new chapter, unconscious of the dangers ahead. He dreamed of introducing into the simple Scottish worship, which gave prominence to the preaching and teaching function of the Church as represented by the sermon, the elaborate ritual and ceremonial of the Church of England. His first move was to call an Assembly at Aberdeen in 1616. We have already seen what changes it proposed and how displeased the king was with its faintheartedness. In the following year, 1617, James visited Scotland for the first time since he had left it in 1603. Whatever the professed object of the visit it soon became plain to every one that his true object was to advance his new Church policy. Services in the royal chapel at Holyrood—especially fitted up for the occasion—were conducted by English ecclesiastics whom he had brought with him (Laud among the number), and were meant as a lesson to the Scottish people how divine service should be conducted. The next move was made when Parliament met on 17th June. A bill was prepared which provided that whatever conclusion should be taken by the king with the advice of the archbishops and bishops in external matters of Church policy would have the force of law. The

prelates themselves were alarmed at the boldness of this proposal : they told the king that Scottish precedent required the consent of the body of presbyters met in General Assembly, and he agreed to add that the advice of 'a competent number of the ministry' should also be required. Even this was vague and unsatisfactory, and when rumour spread of the proposed statute an explosion among the clergy took place, and a protest was drawn up for presentation to the king. James recognised that his proposed act was highly unpopular and quietly dropped it. But he was determined to achieve his purpose, and if one means failed he would try another. He summoned a clerical Conference at St. Andrews for 13th July. It was in fact just such a gathering as his draft bill contemplated. Some thirty-six parish clergy were present in addition to the archbishops and bishops. James brought forward the same five articles about which Spottiswoode had warned him in 1616, and asked whether the Conference would agree that they were desirable and should be introduced. He was told the articles proposed were of too high and grave a nature to be decided in any other way than by the consent of a General Assembly. He took the rebuff with what grace he could and quitted Scotland in August far from pleased at his repeated failures.

Very unwillingly the king agreed to the calling of a General Assembly. The bishops promised to see that the men who composed it would be safe for the purpose in hand. It met on 25th November at St. Andrews, and proved a failure. The Commissioner was ill, seven of the bishops were absent, the attendance of the clergy was disappointingly

small, and their courage was correspondingly feeble. The next attempt met with greater success. This was the famous Perth Assembly which sat from 25th till 27th August 1618. The royal proclamation described it as 'A National Assembly' and the title was significant. It was not an Assembly composed of members elected as representatives of the kirk itself; it consisted of nobles, barons, and burgesses, nominated by the king, and many of the clerical members were selected by careful manipulation on the part of the bishops, who were resolved that there should be no failure this time to secure a majority in favour of the king's proposals. The result was a triumph for the king, who by letter to the Privy Council ratified the acts of the Perth Assembly and ordered a proclamation to that effect to be made by them. This was done on 21st October 1618, and on 4th August 1621 the Five Articles were ratified by a majority in Parliament.

This review of King James's ecclesiastical policy in Scotland leaves on the mind the impression of a man very different from the traditional picture of him. He is by no means the weakling of Macaulay's pages, least of all is he a weakling in the government of Scotland. His Church policy there proves that he possessed strength of will, adroitness of method, and skill in managing men. He broke down the resistance of strong and determined opponents, he imposed his will upon the Scottish Privy Council which counted among its members many able administrators who in various matters differed from the king, but were reduced to humble submissiveness by a character and a will stronger than their own. Nor was this the

case only in regard to ecclesiastical matters, it was the same over the whole field of government. After 1603 still more than before it, he ruled Scotland as absolute monarch. He expressed no more than the literal truth when he told an English Parliament in 1607: 'This I must say for Scotland, and I may truly vaunt it: here I sit and govern it with my pen; I write and it is done; and by a Clerk of the Council I govern Scotland now, which others could not do by the sword.'

Yet his policy was by no means so successful as he imagined. He flattered himself he knew 'the stomach of that people,' but he had in truth little understanding of their deeper religious feelings. Time was to show, though he would not live to see it, that the ecclesiastical structure he reared so laboriously was built on sand. His bishops failed to win the confidence of the Scottish people. The Earl of Rothes records a conversation with Spottiswoode their leader touching King Charles's Service Book. The prelate treated Rothes's objections to the doctrine of the book as a matter for laughter. 'What needed this resistance?' he asked. 'If the king would turn papist we behoved to obey: who could resist princes? When King Edward was a Protestant and made a reformation Queen Mary changed it, and Queen Elizabeth altered it again; and so there was no resisting of princes, and there was no kirk without troubles.' It was the same Spottiswoode who, sitting in the court of High Commission at the trial of a minister for refusing the Perth Articles, admitted that the Church was well before they were introduced and would still be well if they were withdrawn, but added cynically, 'I tell you, Mr. John, the king

is pope now and so will be.' Moderate churchmen who carried their moderation to such a pitch of indifferentism, who in matters of religion took their opinions or their orders from a king, were not likely to stand well in the eyes of their countrymen. Those seventeenth-century Moderates have been called men of peace. They certainly deserve to be credited with advising the king to moderate courses, and with an unwillingness to stir up strife with their brethren over the unpopular Perth Articles. Some of them were amiable and learned men, one, Patrick Forbes Bishop of Aberdeen, was a patron of learning and as a pastor able, earnest, and devoted. But it remains true that James was the champion of absolutism in Church and State, and that the presbyterian Church leaders of his day, alone in Scotland, were the opponents of arbitrary power. Freedom's battle is not won by men, however excellent their character or enlightened their sentiments, who take sides with the tyrant and become his agents, willing or unwilling. In the struggle for civil or religious liberty men may say harsh things of their opponents or take up too extreme positions. A later age will make allowance for such failings, as it will be ready also to see the good in men of opposite sides. But we cannot in fairness forget that it was by the efforts and sacrifices of the men who resisted James's policy and of those who inherited their principles that arbitrary power in our land was finally broken.

Meanwhile discontent grew deep and strong. Of this there could be no more striking evidence than the remarkable letters which passed between the king and Privy Council in 1606, in regard to

the prosecution of the six ministers for treason. How disagreeable and difficult a business that trial and conviction had been the Secretary Balmerino, writing in January 1606 immediately after the trial, labours to make the king understand.¹ 'Wherein if these, upon whom your Majesty reposes the trust of your service here, had any difficulty God knows, and oft they wished, if so it might have been your Majesty's good pleasure, that your Majesty might have seen the innumerable straits whereunto they were drawn.' Indeed but for a straining of the law the verdict would not have been got. 'And to dissemble nothing, if the Earl of Dunbar had not been with us and partly by his dexterity in advising what was fittest to be done in everything, and partly by the authority he had over his friends, of whom a great many passed upon the assize, and partly for that some stood in awe of his presence, knowing that he would make faithful relation to your Majesty of every man's part, the turn had not passed so well as, blessed be God, it has.'

The king's reply amazed and alarmed the Council. They were commanded to bring to trial, on the same charge of treason, the remaining eight of the fourteen lying in prison for their conduct in the matter of the Aberdeen Assembly. The reply was a warm remonstrance, in which the king was

¹ *Register of Privy Council*, vol. vii. p. 478. This correspondence furnishes valuable confirmation of the Lord Advocate Hamilton's letter of 11th January, on the morrow of the trial, telling the scandalous story of the threatening of the judges, packing of the jury, and treating the packed jury without scruple or ceremony. Even the obsequious law officer could not conceal his dislike of the work (*Original Letters relating to the Ecclesiastical Affairs of Scotland*, i. pp. 32-33). The Privy Council speaks out with less reserve.

told of the discontent and excitement in the public mind, and warned as to the certain effects of proceeding further with violent measures. The difficulties of the late trial were recalled. 'With what difficulty and discontentment of your Majesty's subjects of all degrees we have effected your Majesty's service we wish that your Majesty clearly understood: and . . . the renewing of a panel unnecessarily against them (*i.e.* the remaining eight) first renews the discontentment of the people, and next will have greater difficulty than your Majesty is aware of. For had all that were of the Council there known the errand, some had been absent; and had not some shown themselves more forward than becomes the modesty of judges, there had been greater contradiction. And as for the jury, they that were upon the last find themselves so many ways pursued by common and particular exclamations and outcrying of the people that hardly will they essay it again; and although they would, it should increase the slander that they were kept as a company of led men to pass upon ministers' juries and so be a scandal to your Majesty's judgment and our lawful proceedings. . . . We must, even with the hazard of our credit, which is dearer to us than our life, certify your Majesty that we find this fire kindled amongst a few number so overspreading all the whole country that, except it be wisely prevented, greater inconveniences will follow.' The Secretary indicates not obscurely that if His Majesty persists the members of Council will resign office and he must find other Councillors more able and more experienced.

But for the most part the public discontent smouldered beneath the surface. The laity were

warmly attached to the Reformation faith and worship, and these were still unchanged. The local Church courts remained, and bishops did not trouble them in ordinary life. Writing of the year 1616, a staunch presbyterian was able to say, 'At that time I observed little controversy in religion in the kirk of Scotland, for though there were bishops yet they took little upon them, and so were very little opposed until Perth Assembly.'¹ It was only after the passing of the Perth Articles, which directly touched the laity as well as the clergy, that discontent began to flame out in open and general disobedience. The Article against which most repugnance was felt was that which enjoined the kneeling posture at Communion. To do this savoured of superstition, it was to recognise a supernatural change in the elements, which Rome taught but which Knox and the body of Scottish Christians vehemently repudiated. The observance of the Holy Days had been rejected at the Reformation, and the people of Scotland desired no change.

From 1618 till the end of James's reign commotions and disturbances continued over the Perth Articles. Edinburgh was the centre of the opposition, but the same spirit prevailed in Glasgow and over the Lowlands generally. The laity absented themselves from church at Christmas and Easter; where a minister conformed and administered Communion in the new form his congregation for the most part refused to attend. We read that at Easter 1619 the Edinburgh churches were almost deserted, the people were out at the gates in crowds to churches in the neighbourhood where

¹ Blair's *Life*, Wodrow Society, p. 12.

the old form was observed. Clamours and disturbances broke out in different places. To add to the worries of the bishops pamphlets began to be circulated denouncing the innovations. Calderwood the sturdy presbyterian historian was the author of an outspoken attack entitled *Perth Assembly*, published in 1619, which proved such a thorn in the side of the authorities that a proclamation was issued calling in and burning all the copies that could be found. So widespread was the disobedience that Spottiswoode went up to Court to consult with the king. James was more eager than his bishops to enforce the Articles. An Order in June 1619 commanded universal obedience to the Articles, threatening punishment for absence of persons from their own parish churches and for the issuing of pamphlets. Special commands were given that privy councillors and judges should take the Communion kneeling, and sharp measures were used against Sir James Skene of Curriehill, a privy councillor who was an absentee without excuse. The Court of High Commission was the favourite instrument employed for punishing offenders. The Privy Council records during the years in question abound with reports of trials of ministers for contumacy: they were deposed, suspended, banished, or put in ward; prominent laymen were also proceeded against, and sentences of fine and banishment were pronounced against them.

So strong was the opposition that little impression was made by such proceedings. Sometimes the prelates tried conferences with non-conforming ministers; these also proved of little effect. We have already noted the three days'

conference which Henderson attended in 1619. In 1620 it began to be conceded that kneeling at Communion was optional: in one church out of 1600 communicants only 20 knelt. The bishops had little heart in the work of enforcing the law by punishment. Spottiswoode in the Court of High Commission in Edinburgh and Law in Glasgow were fain to resort to leniency and friendly remonstrance. The general result was that only a small minority, and these chiefly official persons, knelt at Communion or observed Easter or Christmas; even this was done simply out of deference to the king's wishes. On the other hand the irritation and disturbances caused did much to re-awaken the old controversy between Episcopacy and Presbytery, and thereby to imperil the episcopal establishment which James had reared. The spirit of discontent and defiance was deep and widespread. Even before the end of his own life King James's policy was a proved failure.

2. SCOTLAND UNDER CHARLES

Charles I. began to reign in March 1625. The accident of birth enabled him to claim Scotland as his native country, but he was singularly ill-fitted to rule Scotsmen. Born at Dunfermline in 1600 he was taken as a child to England in 1603, and he was never in Scotland again until 1633 when he came north to be crowned, no fewer than eight years after his accession to the throne. Since the death of his elder brother Henry he had some titular connection with his native country, and possessed some Scottish estates which were managed for him by a body known as the Prince's Council,

but his education and associations had been entirely English. His instructors had not deemed it part of their duty to let the young prince see anything of Scotland for himself, nor to take care that he understood something of Scottish character and aspirations. Charles grew up with little knowledge of human nature, and in complete ignorance of Scottish human nature. The great lesson which had been carefully instilled into him was the Stewart doctrine of the divine right of kings and the duty of passive obedience by subjects, and that lesson he had mastered only too well. In many ways superior to his father, he lacked James's strength and self-reliance. He needed the support of a stronger nature on which he could lean. Unfortunately for himself he had before he reached the throne already fallen under the spell of Laud. His father had discernment enough to distrust Laud; Charles took him to his heart. 'He more than any other nursed Charles in that worship of his kingly office and of himself which was his ruin.'¹ Of Scotland and its people Laud was, if possible, more ignorant than Charles himself; yet Laud became Charles's chief adviser in Scottish ecclesiastical affairs.

The government of Scotland, during the first twelve years of Charles's reign, had as its general effect to create uneasiness and distrust, deepening into opposition far more widespread and dangerous than anything that had existed under James. One of the chief causes of this was the famous Act of Revocation, which became law on 12th October 1625. It revoked and annulled all grants of Church and Crown lands which had been made

¹ Bayne, *Chief Actors in the Puritan Revolution*, p. 95.

since the accession of Queen Mary in 1542. So tremendous was the effect of this measure that Sir James Balfour describes it as 'the groundstone of all the mischief that followed after both to this king's government and family.'¹ Charles's ecclesiastical policy was the root of his troubles more than the Act of Revocation, but it was these two causes operating together that mainly gave the Revolution in Scotland its strength and national character. Revocations of grants made during the minority of a king were not unknown in the history of Scotland: what was startling in Charles's proposals was their sweep and range.

The pre-Reformation Church in Scotland had grown enormously rich, a very large proportion of the whole lands of Scotland was in its possession, and since the Reformation much of this had found its way into the hands of the powerful Scottish families. The greater part of that vast mass of property was involved in Charles's Act, since the object was nothing less than to recover to the Crown as much as was possible of the alienated revenues and property of the old Church. So violent an interference with rights protected by prescription was both impolitic and indefensible. The only reasonable and sound part of the scheme was the part which placed on a new and better basis the system of teinds and secured a living wage to the ministers. Charles is entitled to credit for this undoubted boon, but the gift was unfortunately wrapped up with other things that excited the alarm of the influential landed classes. Ultimately a compromise was reached which does not concern us here. The nobles probably had not much to com-

¹ *Historical Works*, ii. p. 128.

plain of in the result, but their nerves had been badly shaken by the prospect of an inquisition into their charters and titles, and distrust and suspicion of Charles had been aroused in their minds. This distrust led to important political results. It alienated from the king the most powerful class in Scotland, the class which his father had conciliated and by whose support he had been able to wage his long war with the Church. Now the influence of the nobility was thrown on the side of Church and people, and it was not long before the meaning and effects of that fatal change became apparent.

Why was so unpopular and ruinous a policy adopted? Events in Scotland and England throughout this reign reacted intimately on one another, and we have here the earliest illustration of that reaction. Charles met his first English Parliament on 18th June 1625. He had inherited from his father a policy of foreign wars for which as for other expenses of his own he needed money. He needed at least a million, Parliament granted him £140,000 and would grant him no more. Rightly or wrongly it insisted on discussing the condition of the nation, and it wanted to know what had become of the money last voted to King James. No progress could be made: the king dissolved Parliament on 12th August, and thus early in his career began his ill-omened attempts to govern without a Parliament and to raise money by such other expedients as his ministers could devise. He turned to Scotland. The Convention of Estates, it is true, voted him some taxes but these were not sufficient, and the next device was the Act of Revocation of October.

The king's visit to Scotland in 1633 revealed

the existence for the first time of a constitutional opposition in Parliament. The bills to be submitted were prepared by the Lords of the Articles chosen according to the method in use since 1612, the members were all of them men willing to do the king's bidding, and the king sat daily with them at their work.¹ When prepared the bills were simply submitted in a body to Parliament, and the vote was taken on the whole number as if they had been one measure, without debate on the individual bills, and without any opportunity of moving amendments. No fewer than 168 Acts were thus submitted and passed although the Estates sat only ten days. They dealt with all manner of subjects, but two in particular excited suspicion and opposition. One of these confirmed all the Acts of James touching religion, the other approved an Act of 1609, which gave the king power to settle 'the apparel of kirkmen.' The opposition got wind of what was in preparation, and drew up a petition for presentation to the king, complaining that they could not consent to the measures of which they had heard relating to the Church and to certain proposals for new taxation. Parliament rose before this petition was signed by all who wished to do so, but the objectors found their opportunity when the vote was taken in the House. Objection was then made to the slumping of all the bills together on the ground that some members desired to oppose one or other of the proposed measures. All objections however were summarily overruled by the king, who insisted on the vote being taken without discussion, and tried to intimidate members by openly noting their names

¹ Row, *History of the Kirk of Scotland*, Wodrow Society, p. 364.

as they voted. He obtained a narrow majority, many believed at the time it was secured only by tampering with the votes, but more significant than the actual vote was the warning it conveyed that further trouble was in store.

The unfortunate effects of the royal visit were not confined to Parliament; Charles succeeded in irritating the susceptibilities of all classes. He brought north in his train Laud, now Bishop of London, and it was soon evident that Laud was the king's adviser in chief. In the ceremonies at the Abbey Church of Holyrood when Charles was crowned his master-hand was seen. There was 'a manner of an altar standing within the kirk,' and 'at the back of this altar (covered with tapestry) there was a rich tapestry wherein the crucifix was curiously wrought, and as those bishops who were in service passed by this crucifix they were seen to bow their knee and beck.'¹ Some will have it that the unhappy Archbishop of Glasgow was pushed by Laud from the king's left hand because he was not wearing the proper garments. On the following Sunday in the presbyterian St. Giles two English chaplains, clad in surplices, with the help of other chaplains and bishops there present, 'acted the English service,' says Row. It does not seem to have occurred to Charles that such proceedings offended the feelings of his subjects, not only as presbyterians but also as Scotsmen.

At his coronation in England, Laud had addressed to him these words, 'Stand and hold fast from henceforth the place to which you have been put by the succession of your forefathers, being now delivered to you by Almighty God and by the

¹ Spalding, *Memorials of the Troubles*, Spalding Club, i. p. 36.

hands of us the bishops and servants of God ; and as you see the clergy to come nearer to the altar than others, so remember that in all places convenient you give them greater honour.' Charles believed what Laud told him of the superiority of the clergy over the laity, and put the teaching into operation both in England and Scotland with disastrous effects to himself. Churchmen were advanced to political posts in the Government. In forming his new Scottish Privy Council he put Spottiswoode in the first place, taking precedence of the Chancellor and of every other official in Scotland, and when Hay, Earl of Kinnoul, died in the end of 1634 Spottiswoode was appointed Chancellor in his place—the first churchman to hold the office since the Reformation. Laud became Archbishop of Canterbury in August 1633 : from that date his influence was supreme in shaping ecclesiastical policy in Scotland, and he lost no time in making it felt. In September a new bishopric of Edinburgh was created. In October official instructions came to Bellenden, Bishop of Dunblane, who was also Dean of the Chapel Royal at Holyrood, that the English liturgy was to be used in the chapel twice a day ; the dean was to appear ' in his whites ' ; there was to be a sacrament once a month administered to all kneeling, and the Privy Council and all other official persons in Edinburgh were to attend the Communion at least once a year. The other letter gave directions as to the apparel which bishops and other clergy were to wear : the bishops were to ' be in whites ' at divine service, those of them who were members of Privy Council were to sit ' in their whites ' there, and inferior clergy were to wear surplices over their

black gowns. A year later, in October 1634, came a royal warrant establishing a new court of High Commission in Scotland with enlarged powers intended to strengthen the hands of the bishops. The policy was pursued of increasing the number of bishops in the Privy Council: seven had now been admitted in addition to Spottiswoode. This promotion of churchmen to political rank and office widened the gulf between the king and his nobles; it created two parties in the Council, watchful and jealous of each other. Even Lord Napier, a privy councillor who was a friend of Charles, held that to invest churchmen 'into great estates and principal offices of the State is neither convenient for the Church, for the king, nor for the State.' The Privy Council was the king's Scottish cabinet, and Charles was soon to find that a divided cabinet was a feeble and dangerous instrument of government in the storms of revolution.

While the king was thus busy laying up trouble for himself among the governing classes the great body of the people went perversely on their way in active defiance of the laws which commanded them how they were to worship God. Matters had not improved since James and his bishops had tried to secure observance of the Perth Articles; they had rather grown worse. A single entry in the Privy Council record, of date 25th November 1634, affords an instructive glimpse of the forces and spirit at work which were before long to burst forth into violent explosion. Charles writes to his Council pointing out to them that the law commanded all subjects to communicate at least once a year in their own parish churches. But he has heard that a great abuse has of late

years prevailed 'by the disorderly behaviour of some disobedient people' who when the Communion is administered in their parishes 'and at all other times when their occasions and their humour serves them, not only leave their own parish kirks but run to seek the Communion at the hands of such ministers as they know to be disconform to all good order.' The Council is commanded to put a stop to 'all such wanderings of the people from their own teachers and parish kirks under the pain of His Majesty's high displeasure.'¹

But one thing overshadowed every other in Scotland in the year 1634-5, that was the trial of Lord Balmerino for high treason. In the long history of State prosecutions it would not be easy to find one more fatuous than this: nor would it be possible to find one which proved more ruinous to its authors. A temperate, respectful, and loyal letter addressed to the king setting forth reasons for opposing the Acts of Parliament recently passed was twisted into a 'seditious libel.' The address had in fact not been presented, but Balmerino, one of the Opposition lords, had a copy of it in his house at Barnton near Edinburgh. He showed it there to a notary, who without his knowledge took a copy of it; a copy of this copy ultimately found its way into the hands of Spottiswoode, and the archbishop lost no time in sending it to the king. An Act of James VI. declared 'That if any subject shall speak against the king or his council or nobility or have any infamous libels or writs against them tending to their dishonour they shall incur the pain of death.' On this Act a prosecution for treason was

¹ *Register of Privy Council*, v. (2nd series), p. 421.

based. It was a long-drawn-out affair, lasting from June 1634 till the following March, when the trial took place. By a majority of one the fifteen jurors found the accused guilty only of concealing the letter or 'supplication' as it was called, in other words of keeping a copy of it in his library. In July Balmerino was pardoned; it was felt to be impossible to send a man to the scaffold after such a verdict, even Laud so advised the king. The origin of the prosecution was Spottiswoode's doing; it was 'procured by the dealing of the bishops,' and they were the only party who zealously pushed it on. Row states that Maxwell, Bishop of Ross, in special was very vehement in his speeches against Balmerino.¹ Drummond of Hawthornden, a sympathiser with episcopacy rather than with presbytery, moved to indignation by the iniquity of the proceeding, wrote a manly letter before the trial—far more outspoken than the supplication—intended to be shown to the king, remonstrating against its folly.² The trial of Balmerino sank deep into the Scottish mind. It was never forgotten nor forgiven. It undermined the confidence of the people of Scotland in Charles and his Government; the nobles regarded it as a blow aimed at their order, and the Opposition, instead of weakening, grew stronger and more determined. As for Charles's bishops, nothing could have shown more clearly their blindness and incapacity as advisers; dislike and distrust of them on the part of their countrymen were hardening into utter alienation.

¹ Row, *History of the Kirk of Scotland*, Wodrow Society, p. 383.

² Masson's *Drummond of Hawthornden*, p. 237.

III

THE REVOLUTION IN SCOTLAND

1. THE SERVICE BOOK

July—August 1637

THE Service Book was introduced in the ever-memorable year 1637, but long before then Laud had his eye on Scotland as a field greatly in need of his attention. His supreme aim was to bring about in the three kingdoms 'one form of God's worship,' 'a uniformity in their public devotions.' Uniformity in religion or at least in worship and Church government was the dream that floated before the mind of every churchman in the seventeenth century. Laud's uniformity was to be after the type of the worship which he had striven to introduce into England. Step by step the very face of religion there had been altered. Ceremony and ritual had increased in divine service, many of the ornaments of the pre-Reformation period had reappeared in the churches, sacerdotalism was revived and the usages which spring out of it were coming into vogue. Plain people said that Laud was bringing back popery. He certainly was no believer in the Reformation, 'deformation' he called it. But he denied that he was a papist. His theology might be Roman, his ritual might to the untrained eye be indistinguishable from

that of the Roman Church, but at any rate the Pope must be in Canterbury not in Rome. Under Laud the Elizabethan Church of England was suppressed. Those who refused to conform to his innovations were dealt with by the court of High Commission ; they were fined or imprisoned ; if they were rash enough to write against him they were whipped, set in the pillory, or branded with a red-hot iron. Most Englishmen were proud to think of their Church as identified with the maintenance of Protestantism, cultivating friendly relations with all the Churches of the Reformation, as indeed the head of the whole Protestant interest. On all this Laud turned his back. He would not tolerate even the worship of foreign Protestants resident in London. The English ambassador at the court of France was ordered to withdraw from fellowship with the Huguenots, the struggling Protestant Churches on the Continent were deserted. Laud's Anglicanism was the Anglicanism of the *viâ media*. It has been said that the *viâ media* has always been thronged with proselytes from the Church of England to the Church of Rome. There were many such at that time, and good Catholics thought that Laud himself was hastening in the same direction. Charles's Roman Catholic Queen Henrietta said he was ' a very good Catholic,' and the Pope offered him a cardinal's hat. But common-sense Englishmen demanded that their Church should cast in her lot frankly with the Churches of the Reformation, and their deepest feelings were outraged by Laud's proceedings. He came to be perhaps the most hated man in England.

Meanwhile he had made two visits to Scotland : one in 1617 with James, when he was but a sub-

ordinate figure, the other in 1633 with Charles when he was all powerful. He found Scotland a barbarous country, with 'no religion at all.' He and his master were at one in regarding the puritans in England as being, to use Clarendon's words, 'a very dangerous and seditious people.' But alas! here in Scotland puritanism 'covered the whole nation, so that though there were bishops in name, the whole jurisdiction and they themselves were subject to an Assembly which was purely presbyterian: no form of religion in practice, no liturgy, nor the least appearance of any beauty of holiness.' Laud made up his mind that as soon as he found leisure he would put an end to this deplorable state of things, and teach the barbarous Scots 'religion.' He found willing instruments in the younger Scottish bishops. These men were of a different type from the cautious Moderates of James's time. Pushing and ambitious churchmen who went up to Court soon found that Laud was the rising ecclesiastic there, and they had wit enough to see that if they were to secure promotion they must attach themselves to his party. They adopted his Arminian theology and his high church practices. Laud preached the highest doctrine of the royal prerogative and passive obedience, and their political views took on the same colour. They were worldly-minded and self-seeking, hunting for preferment in the Church, and ambitious for office in the State. James's bishops counselled him to take the 'Church way' in advancing his schemes for uniformity, to get the consent of General Assemblies or other Church courts: Laud and the Laudian bishops were absolutists in Church and State, they despised Spottiswoode's

timid counsels and chose the 'kingly way' of enforcing their designs by royal authority alone. Before 1637 several men of this stamp—rash, foolish, vain—had become bishops and formed a party in the episcopate distinct from the older and more cautious men. The most prominent among them were Maxwell, Bishop of Ross; Sydserff, Bishop of Galloway; Wedderburn, Bishop of Dunblane, and Whitfoord, Bishop of Brechin. This was the party among whom Laud found his most zealous supporters in introducing the Book of Canons and the Service Book. The others seem to have allowed themselves to be overborne and more or less unwillingly fell in with Laud's policy. Burnet's statement is that the bishops were not all cordially for introducing the books, 'for the Archbishop of St. Andrews from the beginning had withstood these designs, foreseeing how full of danger the executing of them might prove. The Archbishop of Glasgow was worse pleased; but the Bishops of Ross, Dunblane, Brechin, and Galloway were the great advancers of them.'¹

Early in his reign Charles had made it known that he insisted on full conformity, and both he and Laud desired the introduction of the English Prayer Book into Scotland. When Charles was in Scotland in 1633 the question was again discussed. The king and Laud were supported by the younger bishops who saw no danger in the attempt, the others apparently objected and pointed out the unwisdom of the proposal. In the end it was agreed that some of the Scottish bishops should prepare a new book of Canons and a new Service Book 'as near that of England as might

¹ *Memoirs of the Dukes of Hamilton* (1677), p. 33.

be.' They were to be revised by Laud, who was made a member of the Scottish Privy Council, Juxon, Bishop of London, and Wren, Bishop of Norwich, and imposed by royal authority alone.

In May 1635 a royal warrant was granted, authorising and enjoining the new book of *Canons and Constitutions Ecclesiastical* for the government of the Church of Scotland. The book was published in the beginning of 1636. It declared the royal supremacy over the Church; ordination to be by bishops only; divine service to be celebrated according to the book of Common Prayer (which had not yet seen the light); diocesan synods to be held twice a year; all conventicles and secret meetings of churchmen forbidden; national synods to be called by the king's authority; all were to kneel when prayers were read, and no one was to conceive prayers extempore, or use any other form than that prescribed under pain of deprivation; the sacrament was to be received kneeling; instructions were given about confession, and orders for the placing of fonts, table for Holy Communion, basins, cups, chalices and so on. These Canons, imposed as they were without authority from General Assembly or Parliament, sweeping away what remained of the framework of a presbyterian Church and laying the Church completely at the feet of the bishops, were received in Scotland with indignation and amazement. But there was no public outcry or demonstration. They were as yet mere written rules not practically enforced in any way.¹ That may explain Baillie's remark in January 1637, 'We were beginning to forget the book of our Canons' when a proclama-

¹ Grub, *Ecclesiastical History of Scotland*, ii. p. 368.

tion was made by an act of Council to receive the Service Book.

The first reference to the Service Book is in a letter from the king to the Privy Council, under date 15th November 1636, 'commanding the publication, use and practice of the Book of Public Service,' and ordaining proclamation to be made commanding every parish to provide themselves with two copies of the book by the following Easter.¹

Apparently it was expected that the book would immediately be ready, but December came and brought no Service Book. It brought, however, still another charge from Charles to his Privy Council, repeating in more anxious and emphatic terms his previous command. 'Whereas since our entry to the Crown, especially since our late being in that kingdom, we have divers times recommended to the archbishops and bishops there the publishing of a public form of service in the worship of God which we would have uniformly observed therein, and the same being now condescended upon, though we doubt not but all our subjects, both clergy and others, will receive the same with such reverence as appertaineth, yet thinking it necessary to make our pleasure known touching the authorising of the book thereof, we require you to command, by open proclamation, all our subjects, both ecclesiastical and civil, to conform themselves to the practice thereof, it being the only form which we (having taken the counsel of our clergy) think fit to be used in God's public worship there: as also we require you to enjoin all archbishops and bishops and other pres-

¹ *Register of Privy Council*, vi. (2nd series), p. 336.

byters and churchmen to take care that the same be duly obeyed and the contraveners thereof condignly censured and punished, and to take order that every parish procure to themselves, within such space as you shall think fit to appoint, two at least of the said books of common prayer for the use of the parish.' This letter bears date 18th October; it was brought down by the zealous Maxwell, Bishop of Ross. The act of Privy Council is dated 20th December 1636:¹ proclamation was made on the following day at the cross of Edinburgh, and it enjoined that at least two copies were to be procured by every parish before the following Easter. But Easter came and went, and still no Service Book appeared. Evidently there were unexpected difficulties and delays, the proofs were doubtless passing and repassing between the Scottish bishops and Laud. That Charles himself revised them with care appears from a letter written by Laud to Traquair. The king, he says, 'to my knowledge hath carefully looked over and approved every word in this liturgy.' One edition at least, says Baillie, was destroyed, and it was not until May 1637 that the book was printed and published. Before that time, however, Traquair, the Lord Treasurer, had brought home a copy from London.² He was the most influential layman then in the Privy Council, and the king communicated privately with him on important matters before they came to the Council table. The Council records of 17th November 1636 contain a letter from Charles, stating that he had imparted his pleasure to Traquair 'touching diverse things whereof the

¹ *Register of Privy Council*, vi. (2nd series), p. 353.

² Baillie's *Letters* (Laing's ed.), i. p. 4.

ready dispatch will exceedingly conduce to the good and advancement of our service.'

The 'diverse things' probably included the Service Book, and it may have been then that Traquair became possessed of the copy to which Baillie refers. At all events the contents soon became known to many persons in Scotland, and their verdict upon the book was not doubtful. 'They find,' says Baillie, 'no difference betwixt it and the English Service save in one, to wit, in addition of sundry more Popish rites.'¹ That the book was ill received from the first is apparent from another proclamation, couched in stern language, which Charles thought it necessary to issue in June. Referring to the proclamation of the previous December he states, 'Although great numbers of the ministry of best learning and soundest judgment and gifts have given dutiful obedience and have conformed themselves to His Majesty's royal will and pleasure in this point, yet there is some others of the ministry who out of curiosity and singularity refuse to receive and embrace the said book, and does what in them lies to foster and entertain distractions and troubles in the kirk, to the disturbing of the public peace thereof unless remedy be provided.' He therefore orders that 'the whole presbyters and ministers within this kingdom, they and every one of them provide and furnish themselves for the use of their parishes with two of the said books of public service or common prayer within fifteen days next after the charge, under pain of rebellion and putting of them to the horn.'² In these words we hear the echoes

¹ Baillie's *Letters* (Laing's ed.), i. p. 4.

² *Register of Privy Council*, vi. (2nd series), pp. 448, 449.

of controversies and discussions that were already raging up and down Scotland: 'sounding from pulpits, carried from hand to hand in papers, the table talk and open discourse of high and low.' Sagacious men already saw that trouble was brewing. 'I am afraid sore,' wrote Baillie, 'that there is a storm raised which will not calm in my days.'

It was decided to proceed without further delay with the introduction of the liturgy; the Archbishop of St. Andrews ordered intimation to be made in all the Edinburgh churches on 16th July that the Scottish liturgy would be read on the following Sunday. The intention was that the dignitaries and state officials present on the memorable occasion would carry with them when they separated for the autumn vacation a favourable report to their various districts, and so prepare the way for the Service Book in the country. The week between the 16th and the 23rd was a lively one in Edinburgh. 'The whole body of the town murmurs and grudges all the week exceedingly.' 'Discourses, declamations, pamphlets everywhere against this course.' The current seems to have run all the one way: 'no word of Information in public or private, by any to account of, used for the clearing of it.' When the 23rd arrived the occasion proved memorable, but in a very different sense from that intended. The scene in St. Giles on that day has become historic. It has often been described: the contemporary accounts on both sides differ little on material points.

Wariston condenses the amazing story into one grim sentence. 'At the beginning thereof there rose such a tumult such an outcrying what by

the people's murmuring, mourning, railing, stool-casting as the like was never seen in Scotland: the bishop both after the forenoon sermon was almost trampled under foot, and afternoon being coached with Roxburghe was almost stoned to dead; the dean was forced to cage himself in the steeple.' ¹

Next day, Monday 24th, the Privy Council hastened to deal with the alarming situation. Almost daily during that week their records bubble over with anxious meetings and consultations; indeed for nearly three weeks, up till Thursday 10th August they were distracted over the business.² The line they took was to throw upon the unhappy magistrates the responsibility for keeping the peace as well as for punishing the authors of the late uproar, and they also ordered them to take measures to secure the reading of the Service Book. The magistrates were willing to do their best, but it is evident they were soon at their wits' end. The public temper was such that nobody could be got to undertake to read the service. On Monday the Council began courageously with a proclamation in sufficiently strong language. It set out with a reference to 'the late turbulent and mutinous carriage of a number of base people, who upon the Lord's day and in the Lord's house in a rude, barbarous and seditious way, and with foul mouths and impious hands oppose themselves to His divine service, to the dishonour of God, disgrace of His Majesty's Government and disturbance of the public peace of this city of Edinburgh.' Then the inhabitants were enjoined to contain them-

¹ *Diary*, 1632-9, p. 265.

² *Register of Privy Council*, vi. (2nd series).

selves in peace and quietness and avoid gatherings upon the street or tumults in churches, not to revile or belch forth contumelious speeches or imprecations against any of His Majesty's servants ecclesiastical or civil, and not to rail or speak against the Service Book, 'certifying all and sundry who shall do or attempt anything in the contrary that the pain of death shall be executed upon them without favour or mercy.' The provost and magistrates are declared liable for whatever riot, trouble or wrong shall be committed, and they are commanded to have a special care to 'apprehend and commit to ward all persons whom they shall learn to have been or who hereafter shall be guilty of the byegone tumult or after disorder.'

On Wednesday 26th two bailies and the town clerk were ordered to convene the town council on the following day at 8 in the morning, and to report at 2 P.M. what course they think fittest for trying and punishing the authors of the late uproar, and securing the reading of the Service Book. Next day, Thursday 27th, the three were personally present at the meeting of Privy Council, presumably to make their report.

They were commanded to go back to the town council and consult them anent the surety which they would give for the safe reading of the Service Book. The matter was urgent and their report must be made 'to-morrow at nine of the clock.' The record of Friday's meeting (28th) is curiously vague, it suggests that the town council found they were treading on dangerous ground and were chary about giving sureties. It states simply that having heard the report from the provost and bailies, the Lords of the Privy Council ordain them 'to advise among

themselves anent an obligatory act to be given by the town for the real performance of what they shall undertake in the business above mentioned.' This impression grows to a certainty when we find that on Saturday 29th all thought of reading the Service Book on the following day was frankly abandoned. The archbishop reported that 'in regard of the late trouble and insurrection raised upon Sunday last for opposing the Service Book and upon new emergent occasions and considerable respects it was thought fit and expedient by them (the bishops) that there should be a surcease of the Service Book until His Majesty should signify his pleasure touching the redress and punishment of the authors and actors of that disorderly tumult.' In the meantime, order was given that at the services in the city churches 'a prayer shall be made before and after sermon and that neither the old service nor the new established service be used in this interim.' The Privy Council having heard this report from the clerical members remitted to them to give effect to it, no doubt greatly relieved to enjoy at least a breathing space.

In the following week Charles broke silence. A letter written on Sunday 30th July was received by the Council on Friday 4th August. He said he understood 'that in the Church upon Sunday last a number of rude and base people did rise and behave themselves in a most tumultuary manner, both within and without the Church,' and told them to 'use your best endeavours to examine who are authors or actors in that mutiny, and that you fail not to punish any that shall be found guilty thereof as you shall find them to deserve.'

The proceedings of the next day, Saturday 5th, show that no real progress had been made. Readers of the Service Book could not be got, apparently the town council could give no assurance as to their safety. The clergy brought up the matter in the Privy Council, and asked that the town council should confer with the Bishop of Edinburgh 'anent the convenience of time when the service shall begin and of the assurance to be given by them for the indemnity of those who shall be employed in the service.'

In the meantime they recommended that the ministers should preach in the subsequent week upon the ordinary days without service. The clergy also reported that the Service Book could not be read next day 'for want of a sufficient number of readers to officiate the same and other difficulties occurring therein,' but they 'have resolved that the said service shall begin upon Sunday come eight days and from thenceforth continue,' and they desired that the town council be called and order given to them for the peaceable exercise of the said Service Book. This was agreed to, and the order, so much easier to give than to obey, was duly passed on to the unhappy town council. At the same meeting, however, something was done to give effect to the king's command that the Privy Council should themselves take up the matter of inquiring into the recent tumult and punishing the guilty. A strong committee was appointed, including the Bishops of Edinburgh and Galloway, to call before them 'all and sundry persons suspect guilty to have been actors, authors, and abettors of the late mutiny and insurrection committed within the kirks and town of Edinburgh.'

In the middle of the following week, Wednesday 9th, the Council, mindful that the Sunday was approaching when the bishops had boldly 'resolved' that the reading of the service should begin, called before them three bailies and the town clerk and demanded whether they had provided readers for Sunday next, and if they were ready to give assurance for the indemnity of the bishop, ministers and readers. The reply must have been disappointing. They humbly declared 'that they were most willing to obtemper the Council's ordinance, but that they could not upon so short a time provide understanding and sufficient clerks and readers, there being none within the city, but vulgar schoolmasters by whom the service might be disgraced and His Majesty's authority upon their employment receive opposition,' but they added in cautious and general phrase 'that they were content to secure the clergy in such legal way as the laws of the kingdom in such a case will allow.' The Privy Council, seeing how thorny a business this was, refused with equal caution to commit themselves further; they preferred to roll the matter back upon the bishop and the town council, and let them worry it out between them. 'They forbear to meddle with or make any change of innovation of the acts formerly made upon remonstrance from the clergy touching the settling and beginning of the Service Book upon Sunday next, and remits to the Bishop of Edinburgh to confer with the ministers and bailies of Edinburgh anent the orderly performance of the same in a peaceable and decent manner, and that these who are to be employed therein be provided of sufficient maintenance for their better encouragement to

undergo the service.' The bailies were ordered to set down in writing the 'obligatory act' for the indemnity of the bishops and ministers, and to exhibit the same to the Council 'at four of the clock in the afternoon.'

If the Privy Council were shy at taking responsibility, the ministers displayed equally little desire to take the burden on themselves. At the afternoon sederunt, Mr. Alexander Thomson, one of the ministers of Edinburgh, for himself and in name and behalf of the others, compeared and made humble remonstrance and 'craved that they might not be burdened to read the service until such time as the town of Edinburgh shall furnish readers and clerks for officiating the same and they be provided of a competent maintenance, for their better enducement to undergo the charge.' Under this stimulus the Council, apparently by way of doing something, called for the Lord Advocate and required him with their clerk to draw up an 'obligatory act' against the provost and town council 'for securing of the ministers and providing for their indemnity, so far as the law, custom and practice of the kingdom in such a kind may warrant and allow.' Paper securities were easy to provide: 'the obligatory act' was framed and passed the next day, Thursday the 10th, but the Privy Council were soon to find that the time for such measures had gone by. A letter from the magistrates to Laud, dated the 19th, reports the humiliating failure of all their efforts. They had spared 'neither pains nor attendance to bring that purpose to a good conclusion.' In spite of the poverty of the city they had offered money 'above our power to such as should undertake that service.' But

no one was bold enough to accept their offer. Equally fruitless were the efforts made to discover and punish the persons responsible for the tumult in St. Giles. The strong committee appointed on the 5th to deal with this matter seem to have made no report of their diligence. It is surprising to find the Privy Council on the 10th feebly falling back again on the harassed bailies and town clerk : on that day these unhappy men were charged ' for satisfaction and expiation of the former uproar and insurrection within their city, to make diligent inquiry anent the authors, actors, and abettors of that mutiny.'

The magistrates seem to have apprehended and examined some suspected persons,¹ but beyond that nothing was done. They probably found that the rioters were people of the meaner sort, that nothing was to be gained by proceeding against them, and that they had behind them the sympathy and support of the inhabitants generally. They were glad to let the matter drop, comforting themselves with the observation that the late tumult might safely be ' fathered upon the scum and dregs of the people,' and that all men either of place or quality were agreed in crying it down.²

Bishop Guthry has a circumstantial story³ that the tumult in St. Giles was the result of a deliberate plot by Henderson and David Dickson the well-known minister at Irvine. They met, he says, in Edinburgh in April, and having taken counsel with Balmerino and Sir Thomas Hope, and secured their approval of their plans, afterwards met at a house in the Cowgate certain matrons, three of

¹ *The Large Declaration*, p. 26.

² *Ibid.*, p. 27.

³ *Memoirs* (ed. 1748), p. 23.

whom he names, and recommended them that they and their adherents might give the first affront to the book, assuring them that men would afterwards take the business out of their hands. A story of this kind, brought forward many years after the alleged event by one who bore no good will to Henderson's party, and involving so many prominent names, is open to grave suspicion. Had it been true it must have been known at the time to many persons, and could scarcely have been kept private. Inquiry, as we have seen, was ordered from the highest quarters, and was set on foot at once to discover all suspected of having had anything to do with the tumult, and the authorities were satisfied that the riot was simply the work of an angry crowd. The names mentioned by Guthrie are sufficient to discredit the tale. Hope was a strong Presbyterian, whom neither court frowns nor favours could induce to conceal or compromise his principles. But as Lord Advocate then and till near the end of his life he was a faithful servant of the Crown, and nothing is more incredible than that a man of honour and integrity holding that position should have been a party to a clandestine scheme to foment a disorderly riot. For Henderson too such a step would have been the height of folly. The man of greatest mark in the Presbyterian party of the Church, he was the object of close and jealous observation by those in authority. Only a few weeks before, on 9th March, Rutherford from his exile in Aberdeen had sent him a friendly warning that he was no mere private person, and that his enemies were eager to fasten upon his slightest mistake in order to damage the cause. 'As for your cause ye are the talk of north and

south, and looked to so as if ye were all crystal glass. Your motes and dust would soon be proclaimed and trumpets blown at your slips.' Everything that is known of his character and conduct contradicts the notion that he would choose such methods to further his ends. He was to be the leader of the fight against the Service Book, but he came forward openly and courageously in his own name and fought with very different weapons than riot and tumult. The story proceeds upon a misreading of the whole situation. Nothing could be further from the truth than to suppose that secret incitement by some discontented ministers was needed to stir the feelings of Edinburgh ladies into an open display against the Service Book. Scotland high and low was already aflame with indignation at the insult both to Church and nation, and every class was ready, as events very soon made plain, to display that indignation in its own way : an angry crowd of common people would not be too nice in giving vent to its anger in the way such crowds always do. It scarcely needed that Dr. M'Crie should point out a fact which discredits the whole story.¹ Dickson, says Guthrie, went home by way of Stirling, giving out that his errand was to convoy his friend Mr. Robert Blair to a ship which was to carry him to Germany. But Blair's design of going abroad was formed at a later date, a considerable time after the tumult, and when the opposition to the innovations had little appearance of being successful.²

Did the Scottish people exaggerate the dangers to their religion and liberty involved in the policy

¹ *Life of Henderson* (ed. 1846), p. 13.

² *Life of Blair*, Wodrow Society, p. 151.

of 1637? If we try to put ourselves in their position it will be difficult to say that they did. The Canons displaced at one stroke the Second Book of Discipline in which the Church had embodied her Presbyterian constitution. But it was round the Service Book that the storm raged. Yet the Church had a Service Book of her own, the Book of Common Order, since the days of Knox. In it were set down 'the form of prayers, administration of the sacraments, admission of ministers, excommunication, solemnizing of marriage, visitation of the sick, etc., to which the ministers are to conform themselves: for although they be not tied to set forms and words yet they are not left at random, but for testifying their consent and keeping unity they have their directory and prescribed order.'¹ But the new Service Book drew upon itself every sort of illwill.

First and foremost, the imposing of it was the act of an autocrat. It had no pretence of sanction ecclesiastic or civil, from Church court or Parliament. It was oppression, and that roused the old Scottish spirit of resistance. So unsparing a critic of the Church as Andrew Lang describes it as 'an act of sheer royal autocratic papacy.'² Scotsmen were not ignorant that across the Border absolutism was then triumphant. They knew that since 1629 Charles had governed England without a Parliament, that illegal exactions of various kinds had been imposed, that judges of independent mind had been dismissed. They knew that in this very year Hampden was making a stand against arbitrary

¹ *The Government and Order of the Church of Scotland*, written by Henderson, 1641.

² *History of Scotland*, iii. p. 25.

rule in the case of ship-money, and that in his person he embodied the rising spirit of resistance in England. They saw in Charles's act a similar attempt to override their own liberties. But this was in their eyes no solitary act: it was the culmination of a long series of acts by which Charles and his father before him had sought to destroy the system of Church government and worship to which they were devotedly attached.

But there was more. The king, they believed, had done this on the advice of Laud. The imposition of the book was therefore the work of an Englishman, and he an English priest who had for years been doing his utmost to romanise the Church of England. He was now seeking to romanise the Church of Scotland, to introduce into it the English liturgy, with changes in it indicating a nearer approach to Rome. The book insulted both Scottish national sentiment and Scottish Protestantism.

But was the Service Book in fact Laud's work, and did it in fact show a nearer approach to Rome? It is easy to show that there is a sense in which the so-called 'Laud's Liturgy' was not Laud's work but the work of other men. He did not compose it; it was the work of Scottish bishops. In 1629, when the question of a liturgy for Scotland was considered, and in 1633 when the matter was again discussed, Laud had urged the use of the English liturgy in Scotland, and in this the king agreed with him. It was Scottish bishops who wished a Scottish liturgy. At last Charles deferred to them, either in Edinburgh or shortly after he returned home in 1633, and in 1634 he gave his authority for its preparation. That was done by

Scottish bishops, probably Maxwell and Wedderburn; Laud's share of the work was in revising it. But how important his revision was appears from Dr. Sprott's careful investigation. 'It is evident that the Scottish Prayer Book was virtually settled in April 1636 by Laud and Wren writing into an English liturgy the few changes suggested in Scotland which they were willing to admit, and such other alterations, mostly in an opposite direction, as seemed good to them.' Again: 'The book as finally adopted was mainly the work of Laud and the English divines of his school, while only a portion of the Scottish bishops concurred in it and that not without much pressure.' And again: 'The alterations can scarcely fail to make the impression that Laud and his school took advantage of the Scottish wish for a separate liturgy to prepare a version of the English Prayer Book, amended as far as possible in accordance with their own views.'¹ Laud was indeed not the only reviser; King Charles was another. It is said that in 1634 the changes approved by him were written in an English Prayer Book as a guide or rule to the Scottish bishops. Further the copy of the English Prayer Book in the possession of the Earl of Rosebery bearing the date of 1637 shows in the king's handwriting the latest alterations and additions approved by him.²

Next as to the approximation to Rome indicated by the changes made. We are not likely to exaggerate these if we follow Dr. Sprott. Yet he says 'It was substantially a revision of the English

¹ Sprott, *Scottish Liturgies of the Reign of James VI.* (1871), Introd. lxiii-lxvi.

² Cooper, *Book of Common Prayer*, Introd. xxi.

Prayer Book in a ritualistic direction.' 'The great objection to the Book of 1637 was its departure from the English liturgy in an alleged Romish direction. It was the question of doctrine as affected by the Canons and the liturgy and the fear of a design to undermine the Protestant religion, of which this was thought the first step, that led men like Baillie, Ramsay and Rollock to swell the ranks of the Covenant. Their fears were somewhat exaggerated; still the rubric as to the baptismal water, the direction to have the holy table at the uppermost end of the chancel (not in the English book), the commendation of wafer bread, the retaining of the word 'corporal' for a fair linen cloth, the attitude of the officiating minister, and other changes in the Communion service were certainly fitted to startle the most Protestant Church in Christendom.'¹ If these views be well founded the Scottish Presbyterians of 1637 were not far wrong when they spoke of Laud's Liturgy and when they ascribed to it romanising tendencies.²

It was part of a deliberate scheme, as they believed, to undo the work of the Reformation. To the Reformation the people of Scotland owed, they knew, a deep debt. 'It was a call to the common Scottish man and to every man to go to God direct without any intermediation except God's open word. . . . The reception of a divine message direct to the individual in the newly

¹ Sprott, *Scottish Liturgies of the Reign of James VI.* (1871), Introd. lxvi-lxviii.

² 'The last copy, still in the Lambeth Library, received the final annotations of Laud. His additions are even more pronounced than those of the English ritual: *e.g.* he reinstated the Eastward position.' —A. C. Benson, *Archbishop Laud: A Study*, p. 115.

opened Scriptures was a source of incomparable energy and exhilaration alike to men and women, to the simple and the learned, to the young, and stranger still, to the old. . . . It was the birthday of a people. Everywhere the Scottish burgess and the Scottish peasant felt himself called to deal individually with Christianity and the divine, and everywhere the contact was ennobling.' ¹

The greatest part of Scotland's debt to the Reformation, it has been well said by a recent writer,² was the formation of a thoughtful and reverent people accustomed to great themes and serious reflection upon them by the ministrations of an educated clergy, whose first vocation has always been held to be the preaching of the Gospel in its fulness and the elucidation of the mind of the Spirit in the Word of God. That kind of training did much to open and strengthen the mind even where there was little book learning. Bishop Burnet, no friendly witness, confesses 'We were indeed amazed to see a poor commonalty so capable to argue upon points of Government and on the bounds to be set to the power of princes in matters of religion: upon all these topics they had texts of Scripture at hand and were ready with their answers to anything that was said to them. This measure of knowledge was spread even among the meanest of them, their cottagers and their servants.'³ Sir Walter Scott was no indiscriminate admirer of the Presbyterian Church and its teaching, but he knew his countrymen well, and he knew how much 'education of the heart' their religion brought them. Writing to Miss

¹ Taylor Innes, *John Knox*, pp. 43, 44, 94.

² Lord Balfour of Burleigh, *Rise of Presbyterianism*, pp. 163-4.

³ *History of His Own Time* (ed. 1823), i. pp. 507-8.

Edgeworth he said, 'I have read books enough and observed and conversed with enough of eminent and splendidly cultivated minds too in my time, but I assure you I have heard higher sentiments from the lips of poor uneducated men and women when exerting the spirit of severe yet gentle heroism under difficulties and afflictions, or speaking their simple thoughts as to circumstances in the lot of their friends and neighbours than I ever yet met with out of the pages of the Bible. We shall never learn to feel and respect our real calling and destiny unless we have taught ourselves to consider everything as moonshine compared with the education of the heart.' It was in Scottish humble life that he found such natures as those of Jeanie Deans or Edie Ochiltree, and he delighted in them 'because they had this refinement of the heart without a trace of anything that could be called intellectual polish.'¹

There was still another and more bitter ingredient in the cup of national indignation. Whatever Scotsmen thought of Charles and of Laud, their deepest feelings were directed against their own bishops. These men knew the people and the Church of Scotland: they ought to have advised the king aright and opposed the meddling interference of outsiders. Instead of this they had betrayed the Church for worldly and personal ends. The diluted episcopacy of James had been accepted by the bulk of the clergy, and in time a mixed Episcopalian and Presbyterian system might have been accepted by the laity had the bishops been prudent and faithful. But its chances of success were ruined by them. To such a pass had they

¹ See *Spectator*, 31st December 1892.

brought matters that in the words of an Anglican writer 'the cause of the Episcopal Church in Scotland had scarce a real friend among the laity.'¹ Baillie expressed the views of a large body of moderate opinion when he wrote: 'Bishops I love; but pride, greed, luxury, oppression, immersion in secular affairs was the bane of the Romish prelates, and cannot have long good success in the Reformed.'² The bishops' conduct was not made matter of complaint at the outset, but as the conflict developed and it was seen that they urged the king to refuse the withdrawal of the Service Book,³ they themselves became the objects of attack, and in the end the ecclesiastical system which they had discredited fell with them in a common ruin.

2. HENDERSON'S CHALLENGE: THE 'COMBUSTION'

August—November 1637

If the Privy Council thought they had to deal only with a riotous Edinburgh mob they were speedily undeceived. About the 10th of August the authorities, putting on a bold front, charged some of their clergy in Fife and in the West to purchase their two copies of the Service Book. Letters of horning were raised by the archbishop against Henderson and two others. The result was that on 23rd August the three Fife ministers presented a petition, in proper legal phraseology a Bill of Suspension, to the Privy Council craving the Council to suspend the charge. Henderson

¹ Perry, *History of the Church of England from the Death of Elizabeth*, i. p. 542.

² *Letters*, 2nd January 1637.

³ *Ibid.*, 4th October 1637.

was the leading petitioner, the others being younger men, James Bruce and George Hamilton. It was by this memorable act that Henderson stepped on to the public stage, openly challenged the king's action, and became from that day forward the central figure in the long struggle now commencing. We remember Knox's dramatic call in the Parish Church of St. Andrews in 1547, addressed to him publicly by friar John Rough, to come forward and preach openly the Reformed doctrines. Nothing could well have been less dramatic than this first public appearance of Henderson. Yet the action of each man suited well his character and the need of the hour. Knox's task was to attack: dauntless courage and fiery enthusiasm like his were needed to pull down the stronghold of the Roman Church. Henderson's task was to defend: the government and doctrine of the Church were assailed by Charles, skill and coolness as well as courage were needed to repel that attack. His first move took the form of a step in a legal process brought before the Privy Council, not as the king's executive in Scotland but in its separate capacity as a judicial body exercising the functions of a court of law. And nothing could have been less violent or more sober than the language used.

They said that on being charged to buy the books each had stated his willingness to do so and to read them that he might see what they contained, 'alleging that in matters of God's worship we are not bound to blind obedience.' This permission, they said, was not granted, 'and yet we are now charged with letters of horning directed by your lordships upon a narrative that we refused the said books, out of curiosity and singularity to

provide each one of us two of the said books for the use of our parishes.' The real question therefore was, were they bound to use the Service Book in their parishes? The petitioners set forth temperately but distinctly their reasons for answering that in the negative. These reasons are five in number, and as they were without doubt drawn by Henderson, and as the document has become of historical importance, they may be given in his own words.

'First, because the said Service Book is not warranted by general assemblies, which is the representative kirk of this kingdom, and hath ever since the reformation given direction in matters of God's worship, nor by any act of parliament which in things of this kind hath ever been thought necessary by His Majesty and estates.

'Secondly, because the liberties of the true kirk and the form of worship and religion received at the reformation and universally practised since then are warranted by acts of general assemblies, and divers acts of parliament 1567, and of the late parliament 1633.

'Thirdly, the kirk of Scotland is an independent kirk, and her own pastors should be most able to discern and direct what do best seem our measure of reformation, and what may serve most for the good of the people.

'Fourthly, it is not unknown to your Lordships what disputing division and trouble hath been in this kirk about some few of the many ceremonies contained in this book, which being examined, as we shall be ready at a competent time assigned by your Lordships to show, will be found to depart far from the worship and reformation of this kirk,

and in points most material for the kirk of Rome, for her hierarchy and doctrine, superstition and idolatry in worship, tyranny in government and in wickedness, every way as anti-christian now as when it came out of her.

‘Fifthly, the people hath been otherwise taught by us and our predecessors in our places ever since the reformation; and so it is likely they will be found unwilling to the change whenever they be essayed, even when their pastors are willing; in respect whereof the said letters of horning, whole effect and execution, ought to be simpliciter suspended in time coming.’

The petitioners did not lack courage, they tabled for debate the whole questions at issue between king and Church. The Church is self-governing; whatever changes are to be made in her worship or doctrine must be made by herself acting through her General Assembly and sanctioned by Parliament. That is the broad position: changes cannot be brought in simply at the king’s pleasure. As to the proposed changes the Church adheres to the Reformation ground; it is the king who is the innovator; the changes are in the direction of Rome, and they are rejected by the reformed Church. The reasoning lifts the question out of the atmosphere of clamour and excitement; it is calm and clear, and bases itself on principle.

Most contested cases involve small points as well as large, and judges are prone to dispose of a case on a small issue, if that will suffice, leaving the larger questions discreetly alone. But the Privy Council’s decision in the present instance raises a smile. It was plain beyond controversy that their Act of December 1636 meant that the books were to be

bought for use in the parish, not for the minister's private reading, yet after two days' deliberation their solemn deliverance on 25th August was to the effect that 'understanding that there has been a great mistaking in the letters and charges given out upon the Act of Council made anent the buying of Service Books, the said Lords for removing and clearing of all such scruple declares that the said Act and letters extends allenary to the buying of the said books and no further.'¹ The draft of the Council's deliverance has been preserved,² and in its ampler form expresses their meaning more fully: 'Declares that the said Act of Council and letters raised thereupon does only comprehend the buying of the said Service Book by the ministers, and that they had and have no purpose nor intention to extend the same to the practice thereof.' What a senseless proceeding was the Act if that was all it meant! The truth is the Privy Council simply turned tail and fled from its own order. What was the explanation? From the day of the St. Giles riot it was openly divided into two opposing camps: the clergy in one, most of the lay members in the other. Divided counsels produced feeble action. Coloured and distorted accounts were sent up to Court by both parties, each side apparently throwing blame on the other. As early as 7th August Laud was censuring the Council in strong language. 'His Majesty,' he writes to Traquair, 'takes it very ill that the business concerning the stablishment of the Service Book hath been so weakly carried, and hath great reason to think himself and his Government dishonoured by the

¹ *Register of Privy Council*, vi. (2nd series), p. 521.

² *Ibid.*, p. 694.

late tumult in Edinburgh, 23rd July. Neither was this the best Act that ever they [the clergy] did, to send away their letters apart without acquainting the Council, that their advertisements might have come by the same messenger, together with their joint advice which way was best to punish the offenders. Of all the rest the weakest part was the interdicting of all Divine Service till His Majesty's pleasure was further known . . . for that were in effect as much as to disclaim the work or to give way to the insolency of the baser multitude. The disclaiming the book as an act of theirs, but as it was His Majesty's command was most unworthy.' But what would Laud say to the marvellous deliverance of 25th August?

The truth is that by that time the 'combustion' was already breaking out over Scotland, and the majority in the Privy Council had taken alarm. Henderson and his two friends did not appear alone before them on the 23rd. The advance guard of a great host was with them. 'A number of letters were written by noblemen and gentlemen to the Lords of Council wherein they remonstrated both the evils in the book and the illegal introduction thereof.' The letters desired the Council to stay any further action or any execution upon the charges given to ministers, indicating that if this were not done all would generally refuse the book, and numerous petitions would be presented to the king.¹ Some noblemen were present in town on the day of the Council meeting and added their voices to the testimony of the letters. The bishops were for brushing aside all protests. The Chancellor contemptuously observed: 'There was

¹ *Rothés's Relation*, pp. 5, 6.

only some few ministers and two or three Fife gentlemen in town, and what needed all that stir?'¹ The gruff reply by some of the noblemen was that 'if their pockets were well ryped it would be found that a great many of the best of the country resented these matters.'

Having disposed of the petition the Council sat down to pen a report to the king. They began in the approved manner by the customary reference to 'that barbarous tumult occasioned allenarly (for anything we can learn as yet) by a number of base and rascally people.' Then they went on to say that they found themselves 'far surprised by [contrary to] our expectation with the clamour and fears of your Majesty's subjects from diverse parts and corners of the kingdom, and that even from these who have heretofore otherwise lived in obedience and conformity to your Majesty's laws both in ecclesiastical and civil business.' They dare not conceal it from the king: 'this we found to be a matter of so high a consequence in respect of the general grudge and murmur of all sorts of people . . . as the like has not been heard at any time . . . not knowing whereunto the same may tend and what effect it may produce.' They refer the matter to the king's wisdom with the suggestion that he would call some of the Council or lords of the clergy to His Majesty's own presence.² A private letter from Traquair to the Marquis of Hamilton two days later is interesting chiefly as showing the alarm of the Council at the state of the country, and as a sidelight upon his clerical colleagues. 'We found so much appearance of

¹ *Rothés's Relation*, p. 7.

² *Balfour's Historical Works*, ii. pp. 229, 230.

trouble and stir like to be amongst people of all qualities and degrees upon the urging of this new Service Book that we durst no longer forbear to acquaint His Majesty therewith and humbly to represent both our fears and our opinions how to prevent the danger.' As to the bishops he says : 'Some of the leading men amongst them are so violent and forward, and many times without ground or true judgment that their want of right understanding how to compass business of this nature and weight does often breed among us many difficulties, and their rash and foolish expressions and sometimes attempts both in private and public have bred such a fear and jealousy in the hearts of many that I am confident if His Majesty were rightly informed thereof he would blame them, and justly think that from this and the like proceedings arises the ground of many mistakes amongst us.' He adds that 'this business is by the folly and misgovernment of some of our clergymen come to that height that the like has not been seen in this kingdom for a long time.'¹

Charles's reply to the letter of 25th August is dated 10th September, it was read at the meeting of Council on 20th September. He took the Council's letter very badly : he disapproved of their action in stopping the reading of the Service Book and failing to punish delinquents ; 'either we have a very slack Council or very bad subjects.' Their suggestion of giving audience to some of their number was loftily and summarily rejected—that expedient 'we conceive not to be fit.' He ignored the hints of widespread dissatisfaction and persisted in treating the matter as merely a local

¹ Burnet's *Memoirs of the Dukes of Hamilton* (1677), pp. 31, 32.

disturbance in Edinburgh. He repeated his command that every bishop was to cause the service to be read within his own diocese, and instructed that burghs should be warned to choose as magistrates only those who could be relied upon in this matter. The record of the meeting shows the desperate plight in which the Council found themselves. Petitions poured in upon them from 'noblemen, barons, ministers and community against the Service Book,'¹ and a crowd of some twenty noblemen and a great many of the adjacent gentry, with about four or five score of ministers resorted to Edinburgh to present the petitions.² Under this pressure in two opposite directions the hapless Council took refuge in the admirable device of appointing a committee 'to attend and reside here in this vacation time for performance of what His Majesty by his letter has committed to their care,' and they superseded answering the petitioners till His Majesty should signify his pleasure thereanent. To make sure that the king could not fail to get first-hand information they commissioned the Duke of Lennox, who was present, 'to remonstrate to His Majesty the true state of the business with the many pressing difficulties occurring therein,' and they sent with him three of the petitions with a list of sixty-five more which had been presented that day. They also wrote to the king reminding him of their previous letter in which they had indicated 'the general dislike and prejudice conceived against the Service Book,' and went on to show that matters had now developed into a much more serious position. The general

¹ *Register of Privy Council*, vi. (2nd series), p. 529.

² *Rothés's Relation*, p. 7.

dislike 'at this Council day has been more fully evidenced by the numerous confluence of all degrees and ranks of persons who were earnest and humble supplicants for opposing the acceptation of the Service Book as by their petitions extending to the number of three score and eight may more clearly appear, whereof we have sent to your Majesty three copies.' A strong attempt was made on the command of Charles to keep the capital of Scotland on the proper lines. A partisan of the king, Sir John Hay the Clerk Register was made provost, and he endeavoured to prevent the town from petitioning the Council.¹ This merely led to another violent outbreak: the provost and those magistrates who sided with him were defeated, and Edinburgh took her place alongside of Glasgow and the other petitioning burghs.

Charles could no longer pretend ignorance of the state of matters in Scotland. He had now been fully informed of the widespread and growing opposition among all classes to his ecclesiastical policy, and he had been warned of the rashness and want of judgment of the leading Scottish clergy. His decision at this juncture was of the highest possible moment. A prudent ruler would have withdrawn the book with the best grace he could, and the whole turmoil might have ended there. But if he had any inclination or received any advice to conciliate his subjects by taking this commonsense line, the opinion of the Archbishop of Canterbury unhappily carried the day in the opposite sense. There were better informed people than Laud at Court. Even the Court awaited the issue with anxiety, many persons

¹ Baillie's *Letters* (Laing's ed.), i. pp. 22-3.

being of opinion that the Scots would not easily submit.¹ Charles's answer came promptly after he had taken his decision, in a letter of 9th October to the Council; it reached Edinburgh on the 17th. News that it was on the way came to Wariston's ears and he lost no time in notifying his friends. Immediately crowds of all ranks flocked to Edinburgh. The answer, alas! was not peace but a sword. The same evening three proclamations were read from the market cross. The first announced that so far as the affairs of the Church were concerned that day's meeting of Council was dissolved, and commanded that every one who had come to attend that business should return home within twenty-four hours under pain of outlawry. The second declared that His Majesty had resolved that the Council and Court of Session should remove from Edinburgh to Linlithgow, and after the vacation to Dundee. The third denounced a book entitled *A Dispute against the English Popish Ceremonies obtruded upon the Kirk of Scotland*, written by George Gillespie, and ordered all copies to be seized and publicly burned.

The degradation of Edinburgh was evidently meant to be a copy of King James's action in 1596, but it was a stupid copy, and it had disastrous results for Charles and his friends the bishops. James acted in hot blood after a foolish and alarming riot: Charles had ample time for reflection and he had not the same excuse. Edinburgh's only offence now was that it had ranged itself alongside other towns in petitioning for the withdrawal of the Service Book. Reflection had not suggested to Charles the vital difference in the two cases,

¹ *Calendar of State Papers* (Dom.), 1637, p. 468.

in that now the nobility were making common cause with the people. It is doubtless the peremptory refusal of all the petitions, combined with the insulting treatment of Edinburgh, that explains the fury of the riot that swept through the town on the 18th. 'On Wednesday 18,' says Wariston tersely, 'the Bishop of Galloway twice was on hazard of his life: the provost of Edinburgh and town council was imprisoned in Gourlay's house till they subscribed an Act, which the people craved, for abolishing the Service Book, restoring the prayers, and their pastors; the nobility apart, the gentry apart, the burghs apart, the ministry apart, met, advised and consulted, and at the last subscribed every one the supplication against the Service Book, canons and bishops themselves, and presented it to the Council.'¹ He does not mention that Traquair also, who hurried into the street to restore quiet, was hustled and knocked about, and that the privy councillors as well as the provost, not to mention the poor bishop 'the main object of hatred,' needed the intervention of the noblemen who had been ordered to quit the town to enable them to reach their homes in safety. All that the Council could do to assert their authority was to issue still another feeble proclamation, bemoaning the fact that they had been 'most rudely interrupted in the course of their proceedings by a tumultuous gathering of the promiscuous and vulgar multitude by whom they in an open way were shamefully environed,' and forbidding public gatherings and convocations and all private meetings tending to faction and tumult.

But the king's foolish action had permanent

¹ *Diary*, pp. 270-71.

and unexpected results much more serious than a day's rioting in the streets of Edinburgh. It called forth the general petition or supplication mentioned by Wariston, and it led to the formation of The Tables. The supplication is noteworthy because in it all classes joined, 'noblemen, gentry, ministers, burgesses and commons,' because it was directed against the book of Canons as well as the Service Book, and because in it for the first time the bishops were singled out for attack. The petitioners 'are constrained out of the deep grief of our hearts humbly to remonstrate that whereas the archbishops and bishops of this realm, being intrusted by His Majesty with the government of the affairs of the Church of Scotland, have drawn up and set forth and caused to be drawn up and set forth and enjoined upon the subjects two Books.' The grounds of objection to the Books are stated and the petitioners proceed: 'Wherefore we being persuaded that these their proceedings are contrary to our gracious Sovereign's pious intention . . . the Prelates have so far abused their credit with so good a king as thus to insnare his subjects, rend our Church, undermine religion in doctrine, sacraments, and discipline, move discontent between the king and his subjects, and discord between subject and subject': 'they humbly crave that this matter may be put to trial, and these our parties taken order with according to the laws of the realm; and that they be not suffered to sit any more as judges until the cause be tried and decided according to justice.' They conclude by craving that if the Council think this too high a matter to deal with themselves they shall fully represent it to the king for redress. This

Supplication was drawn up by David Dickson and revised by Lord Loudoun; the same night 500 had signed it.¹ When it was presented to the Council at Holyrood-house the members demurred to receiving it when they saw it referred to kirk matters, and professed they would read none of it. Some hot words followed between the petitioners and the members of Council, the former urging the importance of the matter and the need for speedy remedy, the latter complaining of the crowds that waited upon them. The Bishop of Galloway and the Clerk Register, who had both of them lately had unfortunate experience of crowds, threw out the suggestion that instead of the whole of the petitioners coming in person a few commissioners might represent them. This suggestion was at once acted upon; 'many of the petitioners meeting after supper did resolve to meet again the 15th November there and choose their commissioners in a quiet manner.'² Out of this casual remark grew the famous body known as The Tables.

Three months had now passed since trouble began in Edinburgh with the reading of the Service Book, and in that time the 'combustion' had burst forth now here now there until in October the whole of the lowlands were aflame with open discontent, expressing itself in the menacing language of the Supplication and widening out already far beyond the Service Book. Plainly the situation needed firm and wise handling, but it was receiving none at all. The Council were waiting on the king, and the king could think of nothing better than the issuing of foolish and

¹ *Roth's Relation*, p. 19.

² *Ibid.*, p. 17.

irritating proclamations. One statesman at least saw the growing danger, and did not fail to warn his master. On the morrow of the riot (19th October) Traquair wrote to the Marquis of Hamilton these grave and earnest words:¹ ‘My Lord, believe that the delay in taking some certain and resolved course in this business has brought business to such a height and bred such a looseness in this kingdom that I daresay was never since His Majesty’s father’s going into England. The king is not pleased to allow any of us to come to inform him; and after debating with himself his commandments may be according to the necessity of the time. No man stays here to attend or assist the service; and those on whom he lays or seems to entrust his commandments in this business, most turn back upon it whenever any difficulties appear. I am in all these things left alone, and, God is my witness, never so perplexed what to do. Shall I give way to this people’s fury, which without force and the strong hand cannot be opposed?’

‘I am calumniated as an underhand conniver. Shall I oppose it with that resolution and power of assistance that such a business requires? It may breed censure and more danger than I dare adventure upon without His Majesty’s warrant under his own hand or from his own mouth. My Lord, it becomes none better to represent these things to our master than yourself, for God’s cause therefore do it. And seeing he will not give me leave to wait upon himself, let him be graciously pleased seriously and timely to consider what is best for his own honour and the good of this poor kingdom, and direct me clearly what I shall do.’

¹ Hardwicke, *State Papers*, ii. pp. 96, 97.

3. THE GREEN TABLES

November 1637—February 1638

If there was no strong hand at the helm of the Government in Scotland, things were very different on the part of the petitioners. They at least knew their own minds and showed a firm determination to reach their ends. From the outset they wisely chose the path of legal and constitutional action by petitioning the king through his Privy Council. The proclamations of 17th October made it evident that the king's advisers hoped to defeat their movement by delay, by preventing the petitioners meeting for combined action, and by detaching the town of Edinburgh. The immediate answer was the counterstroke of the General Supplication. This is said to have been suggested by Henderson. It was certainly both sagacious and courageous. By combining all the separate classes into one solid and impressive mass it gave the petitioners themselves additional cohesion and confidence, and made it more difficult for the adversary to play upon the weakness or prejudice of any one class. But the attack on the bishops was novel and daring. The king's sharp answer had caused 'astonishment and rage';¹ it was believed to have been inspired by the bishops, and to portend 'a more severe and strict course of proceeding' against the petitioners. The General Supplication carried the war into the bishops' camp, they were themselves to be put on trial, and were no longer to sit as judges on the petitioners. Nothing but

¹ Baillie's *Letters* (Laing's ed.), i. p. 35.

the blundering policy of the king's advisers could have induced the large number of the clergy who like Baillie were not unfriendly to bishops to sign such a petition. He says expressly 'At the first forming [of the Covenant] any design or hope to have gotten down the bishops altogether did appear in no man to my knowledge.' Their action met with a piece of unexpected good fortune in the suggestion from the other side that commissioners should be chosen to act in their name. Accordingly November 15th saw a great gathering of the petitioners again in Edinburgh. The business that brought them together was to elect commissioners, and this was duly carried out. There were chosen six nobles, two of the gentry for each county, one minister for each presbytery, and one commissioner for each burgh, 'these to attend His Majesty's answer to the supplications.' The Privy Council then sitting at Linlithgow were still without an answer from the king. Anxious above all things for delay and quiet, they opened communications with some of the noblemen. The commissioners who had just been chosen met Traquair, Lauderdale and Lorne as representing the Council. The latter urged that so great a gathering in Edinburgh was unnecessary and unseemly, that it had the appearance of trying to force an answer from the king, that this could only cause irritation instead of advancing a settlement. The reply was that the matters in hand were important and urgent, and that their present gathering was to appoint commissioners to attend the business in accordance with the hint given by two of their own members in October. After some discussion the conference was adjourned till next day. On the afternoon of

the 16th thirteen of the petitioners—four nobles, three barons, three burgesses, and three ministers—waited on the Council at Holyrood. One of the points then raised was the lawfulness of the petitioners choosing commissioners to act in their name. The Lord Advocate was consulted and gave it as his opinion that there was no objection in law to that course. This satisfied both parties; and as the Earl of Roxburghe was expected in Edinburgh in a few days with the king's answer the Council promised to communicate it to the commissioners. On that understanding the convention dissolved, leaving behind them in town some of their number: these were apparently two nobles, Sutherland and Balmerino, six of the gentry, and some representatives of the burghs.

This three days' gathering in November 1637 yielded results of the highest importance. Wariston's record of it may be quoted: 'On Wednesday, the 15th, the convention of the nobility, gentry, burghs, ministry, in effect the whole Estates held in Edinburgh in a fair, calm, peaceable, orderly manner, and did capitulate with the councillors anent choosing of commissioners for shires and presbyteries, anent the diet of the king's answer, anent the pardoning the tumult of Edinburgh, the staying all further episcopal proceeding, and restoring deposed ministers. They chose their commissioners to attend, and on Friday night, after hearty prayer and thanksgiving, they did dissolve.'

Well might the petitioners be filled with thanksgiving at the result of their labours. They had become a recognised power in the State. The

shrewd Baillie remarks that the great advantage they won 'was the settling of an advised and constant order by commissioners countenanced by the Council; that we may pursue and defend our cause against the bishops no more by a tumultuary conference, but by the stayed resolution of a great number of the choicest heads in the kingdom.'¹ If the Privy Council was the Scottish cabinet, there was now also an organised Opposition. It too, if we are to believe Baillie, had already an informal cabinet of its own, consisting of Henderson and Dickson with three or four of the noblemen. The two named he calls 'the two archbishops.' The Council was in office, but the Opposition cabinet was in possession of real power. The great mass of Scottish opinion was behind it, and the fact that that opinion was so far organised added enormously to its influence. It astonishes us that such a blunder should have been committed by the Privy Council as to allow this body of accredited representatives to come into existence and themselves to give it official recognition, until we remember that the Council was drifting without guidance and without a policy of its own, that the Opposition had already secret friends among its members, and that it was distracted by internal division.

There were other noteworthy features of the November meetings. The town of Edinburgh cast in its lot definitely with the other burghs on the petitioners' side despite the efforts of its provost. And it was then for the first time that the young Montrose appeared among the nobles supporting the same cause. But whatever troubles the future

¹ *Letters* (Laing's ed.), i. p. 42.

might bring, it is clear that for the moment the Council breathed more freely when the petitioners quitted Edinburgh. Their account of the proceedings sent to the Court reflects both their anxieties and their relief. The people's humours, they say, were still 'boiling and aloft,' but they had taken the judicious course of quiet negotiation with their leading men; the petitioners meant nothing more than humbly to crave redress for their grievances (which now by the way included 'the vast and unbounded power of the High Commission'); by dexterous management they had secured that there would be no more public convocations, only the Council had to yield so far as to give way to their particular desire that whenever His Majesty's pleasure concerning the Service Book should be returned 'they might be allowed by the commissioners of the shires or by one or two discreet men from a shire or a burgh to represent their grievances and receive His Majesty's or his Council's answer thereto.' They concluded by boldly assuring the king 'that this meeting whereof the consequences was so much feared is now dissolved without any harm or noise.'

The popular name of The Tables or The Green Tables arose some time afterwards. It was most probably applied to the committee of sixteen or thereby which was formed in February 1638. This committee, says *Roths*,¹ was then chosen of four barons, four burgh representatives, and four ministers to join with the noblemen. It did not consist of the same sixteen men throughout: the actual members were changed from time to time, so that attendance in Edinburgh might not be

¹ *Relation*, p. 69.

burdensome on any one, and the committee might be thoroughly representative. It was always in close touch with its supporters throughout the country. In February the king announced his final rejection of all their supplications, matters were reaching a crisis, and the great movement which took shape shortly after in the National Covenant was in contemplation. A smaller body was needed as the central authority to direct such a movement. The four groups sat at four separate tables in the Parliament House, Edinburgh. It is probably true that even this committee of sixteen was found too large for many purposes, and that decisions were frequently taken by a smaller body of four—a kind of inner cabinet. It was intended that it should contain one member from each of the tables, but as matter of fact the direction of affairs was mainly in the hands of Henderson, Rothes, Loudoun and Wariston.

The Earl of Roxburghe arrived in Scotland early in December, bringing the long-looked-for reply from the king. It was read at the meeting of Privy Council in Linlithgow on 7th December. Meanwhile the noblemen among the petitioners, anticipating trouble, had taken the precaution to retain counsel to give them legal advice. On 5th December, Johnston of Wariston was informed by Loudoun that he himself along with Roger Mowat of Balquhollie, Thomas Nicolson, afterwards Sir Thomas Nicolson, John Nisbet and James Baird were the counsel chosen.¹ The name of Alexander Pearson, who had been one of Balmerino's counsel, is also mentioned at a later

¹ Wariston, *Diary*, p. 280.

date. The king's reply turned out to be another evasion. He was so incensed at the tumults in Edinburgh in October that he delayed signifying his pleasure in the matter of the petitions, but in the meantime he was good enough to declare that he abhorred the superstition of popery, that nothing would be allowed but what would tend to the advancement of true religion as presently professed, and that nothing was intended against the laudable laws of His Majesty's native kingdom. The petitioners had asked for bread, they received what looked very like a stone. But Traquair made the best of a bad case, he pressed them to rest satisfied with the king's gracious assurances, in particular he urged that the town of Edinburgh should gratify the king by some public acknowledgement of its wrongdoing. On 9th December he interviewed five of the commissioners at Holyrood. They told him that they did not doubt the king's love to religion, but that the laws had already been broken by the introduction of the books without authority. Traquair urged them to reconsider their position and consult with their colleagues; he would take their answer on Monday, 11th. From Saturday till Monday matters were fully and anxiously discussed. Traquair and his master had by this time discovered the mistake made by the Council in permitting the petitioners to combine in one body acting through accredited representatives. The Treasurer had asked on the 9th that they should present their petitions severally by provinces, because the king took their manner of supplicating together to be 'a combining and mutinous form.' On the 11th he received the reply that the cause was one common to all, and

they could not divide. We learn from Wariston that another subject occupied the attention of the commissioners at the same time. They were resolved not to relax the pressure on the Council for a reply to the unanswered supplications, and failing a reply to insist that their desires be fully represented to His Majesty. They decided also to lodge a formal Declinator of the prelates as their judges in the answers to be given by the Council. They felt it was necessary to take strong ground in their dealings with the Council, who were obviously playing for delay. 'On Monday forenoon before all the noblemen,' says Wariston, 'I had a long dispute with Rothes and Loudoun about the Declinator; afternoon with Balmerino about the conclusion of the new Bill' (that is a fresh petition for an answer to the supplications).

Tuesday, the 12th, saw twelve commissioners appointed for the purpose of repairing to Dalkeith, whither the Council had removed. Their errand was to present their new Bill or demand for an answer to the supplications, and they were careful to take with them also the Declinator in case it should be needed. Then followed a scene of highly undignified twisting and wriggling on the part of the Council. First they sent out their clerk, desiring the commissioners to send in their Bill. This was suspected to be a device to get rid of the Declinator, and they refused to hand the Bill to the clerk, saying they had come to present it themselves and had something further to say. A second time the clerk appeared; this time his request was that the noblemen should present their Bill, the barons theirs, and so on, each Estate separately. Again they refused, saying they were directed to

present one for all. A third time the clerk was sent out; he asked that seven or eight of them might come in and present their Bill without distinction of estate. The answer was that the twelve were already few enough and were appointed by the commissioners who represented the body of the supplicants of every estate. Completely baffled the Council abruptly dissolved, but Traquair and some other members approaching the commissioners asked to see the Bill so that the Council might consult on the matter the same evening and be better prepared against the next day. Once more there was a refusal: they had been ordered to present it to the Council, not to councillors, and they had something to add which required a judicial presentation of it. There was nothing for it but to adjourn the hearing till Thursday, the 14th.

Wariston disposes of the episode by the curt entry: 'On Tuesday the noblemen was jampfed [trifled with] in Dalkeith.'¹ Two further meetings followed, one on Thursday the 14th, the other on Tuesday the 19th when the proceedings descended to the level of farce. On Thursday new tactics were adopted. Two of the councillors came out to the waiting twelve, and solemnly informed them that they would receive neither their former supplications nor their present Bill until the wording of some passages in the petitions was changed. Once more the twelve were immovable; they would alter nothing in the Supplication. 'After some treaty to and fro to this end, the Lords of Council rose abruptly and departed by another door than where the commissioners were waiting.'²

¹ *Diary*, p, 284.

² *Rothés's Relation*, pp. 37-8.

It is not surprising that after being twice refused a hearing the commissioners resolved, on legal advice, to draw a protestation against the next Council day, protesting for an immediate recourse to the sovereign for a redress of their grievances, 'and in a legal way and manner to prosecute their pursuits before the ordinary competent judges, civil or ecclesiastical, against the persons and crimes as they complained upon seeing the Lords refused them hearing.' Next day Wariston prepared the document. On Tuesday the 19th the twelve were again at Dalkeith. They took their protestation with them; still better, they took a second copy of it, and to make sure their victims would not again elude their grasp, they posted some of their number armed with a copy at each door. Fabian tactics were again employed by the Council; if the commissioners would only keep back their protestation that day they would promise them a full hearing on Thursday. All in vain, the Privy Council was at last run to earth: the twelve meant to protest now, and they were blockading each of the two doors of the Council room. The Council saw they had to deal with men who could not be shaken off, and they made no further attempt at evasion or delay. On Thursday 21st, the commissioners had a full hearing before the Council, no bishop being present, when Loudoun presented the supplicants' case. He tabled the Bill with a copy of the former supplications, and he also 'proponed the Declinator and took instruments in the clerk's hands.' The Council informed the petitioners that the matter was of such weight and importance that they could not determine it till they knew the king's

pleasure, and declared that they would present the petitions for his consideration.

The supplicants had carried their point thus far; the whole matter was referred anew to the king, and Scotland settled down to await the issue. This time the king had the benefit of consulting with his Scottish ministers. Traquair was summoned to London, and went up about the middle of January accompanied by Sir John Hamilton, the Justice Clerk. At Court he met the Marquis of Hamilton who was soon to play a prominent part, one of the only two men in England whom the king consulted on Scottish business. It can hardly be doubted what the tenor of the advice was which Traquair gave. After his return home and the issue of the king's proclamation he wrote on 5th March to Hamilton, 'Your Lordship can best witness how unwilling I was that our master should have directed such a proclamation, and I had too just grounds to foretell the danger and inconveniences which are now like to ensue thereupon.'¹ What Hamilton's advice was we do not know, but it is easy to divine what the other adviser Laud recommended. Scottish affairs were carefully kept from the knowledge of the English Privy Council; when tidings came from Edinburgh only those two men were admitted to the king's closet. When Hamilton was absent in Scotland Laud was his only counsellor, the blind leader of the blind.²

Rothés gives more than a hint that from Scotland also bad advice was poisoning Charles's mind. On December 22nd, the very day after the hearing

¹ Hardwicke, *State Papers*, ii. p. 101.

² *Calendar of State Papers (Dom.)*, 1637-8, pp. 524-5.

before the Council, the President of the Court of Session, Sir Robert Spottiswoode the son of the Chancellor who was hostile to the petitioners' cause, posted off to London. He carried, says Rothes, pestiferous directions and wrong informations concerning the whole proceedings of the supplicants. Traquair found a few weeks later, greatly to his surprise and annoyance, that the king was already fully and minutely informed of the whole of the petitioners' proceedings, and what part every man had played. Much of the information was erroneous and to the prejudice of their cause. He believed he had been treacherously used by some of his colleagues, indicating two of them, the Chancellor and Hay the Clerk Register.

About the middle of February Traquair was back in Scotland bringing with him the king's answer. It took the form of a proclamation. On the 16th Wariston received private intelligence of its main contents and circulated them among the leaders. On Monday 19th the Proclamation was read at the cross of Stirling where the Privy Council then met, on Wednesday 21st at the cross of Linlithgow, and on Thursday 22nd it was read at the cross of Edinburgh.

The Proclamation was a matter of the utmost moment for Scotland ; it closed one chapter of the struggle, but it opened another and a far graver. The king declared that the introduction of the Service Book was his own doing, that he had seen and approved of it before it was divulged or printed : as for the petitions, he found his royal authority much injured thereby ; those who had any hand in framing them were liable to his high

censure, but as he believed they had acted out of 'a preposterous zeal and not out of any disloyalty or disaffection,' he would overlook the past ; but all such convocations and meetings in time coming were forbidden under pain of treason. Further no one was to repair to Stirling or any other burgh where the Council was sitting without warrant to that effect, and all persons in Stirling not dwellers there nor members of the Council were to remove within six hours after the Proclamation was published, also under pain of treason.

The Opposition leaders realised at once the gravity of the position, and they saw that no time was to be lost. On Friday night, the 16th, they gathered for consultation, and it was decided that a few of their number should go to Stirling, where it was expected the Proclamation would be read on the following Tuesday. When fuller information reached them at a later hour the same night, it was resolved to prepare an Information against the Proclamation for the members of the Privy Council. On Saturday the 17th this was done by Wariston ; queries were also submitted to counsel, and on their advice every weapon in the legal armoury was furbished up.

A fresh Declinator was framed against prelates sitting in the Privy Council as judges, and in case the Declinator were refused a Protestation was prepared. Wariston tells us he sat up till two on Sunday morning writing these papers ; he slept little, for before six that morning he learned from some private source that it was intended to seize the few supplicants who might appear at Stirling. Rothes and Lindsay were at once informed : a full meeting was held ; the Declinator and Pro-

testation were adopted, and it was further agreed, in view of the danger to which a few representatives would be exposed, that all should go to Stirling.¹ That this was no groundless apprehension is evident from a contemporary account supplied from the other side. On this very Friday, Traquair wrote from Edinburgh to Hamilton telling him that as he was ready to leave for Stirling he heard of some meetings of noblemen and others in the city who, as he was informed, intended to follow them to Stirling. He conceived this to be so important that he had delayed his journey till Monday, and resolved 'not only to try the reasons and occasions of their meeting but also by all possible means to dissolve the same.'² Second thoughts suggested to Traquair that he should not wait for daylight on Monday: he decided to post off in the darkness, elude the grasp of his tormentors, reach Stirling on Monday morning and have the Proclamation read before they could arrive. An excellent plan: he and the Privy Seal (Earl of Haddington) were on horseback at two on that cold February morning, and reached Stirling at eight o'clock. But the foe were sleepless too. Traquair's servant dropped into John Eliot's tavern for a tankard of ale after his master had gone and babbled over his glass, letting slip the word that his master was off for Stirling at that strange hour. The ears that heard it belonged to a servant of Lord Lindsay, and in less than no time Lindsay had the news. He roused Earl Home and some of the other nobles from sleep, and by four o'clock they too were in the saddle and off on that forty mile ride, outrode the first

¹ *Diary*, p. 317.

² Hardwicke, *State Papers*, ii. p. 98.

horsemen and reached Stirling in advance of them. Only six members of Council could be got together that morning—less than a quorum; but in such haste were they to have their business done before their opponents arrived that they repaired to the cross at ten o'clock and there read the Proclamation. At the cross they found awaiting them Home and Lindsay, who duly produced and read the dreaded Protestation and took instruments in the hands of notaries. By Tuesday morning there were in Stirling some seven or eight hundred supplicants, gathered as if by magic from Fife, the Lothians and the West.

They asked and were refused a sight of the Proclamation, which had not yet been ratified by the Council. They objected to that being done, and were unwilling to return home until explicitly assured there would be no ratification. Despite this undertaking the Council met the same night (Tuesday 20th) in the Castle and ratified the Proclamation. Two of the supplicants who had remained behind gave in the Declinator and made the Protestation: the Lord Advocate alone of the Council refused to sign the Act allowing and approving the Proclamation.¹ On Thursday 22nd at eleven o'clock when the Proclamation was made at the cross of Edinburgh, Wariston at once read the Protestation, 'surrounded by a great many noblemen, barons, ministers standing within and about the cross, and instruments were taken in the hands of notaries.'

What was this Protestation about which the supplicants were so punctilious, and which the Privy Council strove so hard to evade? Had it any

¹ Rothes's *Relation*, pp. 64-5.

effect in law or otherwise? It may appear to us a technical and archaic formality, but it was regarded at the time as a highly important State paper. The legal advisers of the supplicants, some of the ablest lawyers in Scotland, were unanimous in their opinion that it should be prepared and presented, and they revised its language with care.¹ After narrating the previous proceedings they protested that they might have immediate recourse to their sacred sovereign to present their grievances, and in a legal way to prosecute the same before the ordinary competent judges, civil or ecclesiastical: that the prelates, the parties complained against, could not be reputed or esteemed lawful judges to sit in any judicatory upon any of the supplicants until after lawful trial judicially they purged themselves of such crimes as had already been laid to their charge, offering to prove the same whenever the king was pleased to give them audience: that no Act or Proclamation passed in presence of the prelates should any way prejudice them, their persons, estates, lawful meetings, proceedings or pursuits: that they should not incur any danger for not observing such Acts, Books, Canons, etc., introduced without or against the Acts of General Assemblies or Acts of Parliament, but that it should be lawful for them to adhere in matters of religion to the external worship of God and policy of the Church according to the Word of God and laudable constitutions of this Church and kingdom.

This procedure shows the desire to act in a law-abiding spirit and in accordance with the principles and precedents of Scottish Government. It was

¹ Wariston's *Diary*, p. 317.

apparently borrowed from the legal practice of the day, when a litigant who thought he had not received justice 'took protestation for remeid of law,' appealing to the king and Parliament for remedy. In effect the protestors declared that the proceedings complained of were not in accordance with the law of the land and had therefore no legal effect, that they declined to regard them as closing the controversy, and that they appealed past the king misinformed by bad advisers to the king as dispenser of justice, and to the law of the land itself. That the Protestation was believed to produce a profound effect on the minds of the people is evident not merely from the supplicants' persistence in making it but from the nervous anxiety on the other side to evade it. It fortified their position to make it appear that their claim was not something novel or arbitrary but only what the law entitled them to; it took off the weight and edge of the royal proclamation when it was instantly and formally challenged before the world as violating laws which the sovereign had sworn to uphold. Their own view was expressed in a statement issued by the Tables to their supporters in the country. In it they declared the Proclamation to be the work of the prelates 'procured after their accustomed manner by misinformation of the king's Majesty,' and proceeded to say they 'have legally obviated the publication and ratification thereof by timeous Protestation and Declinator of the common adversaries the bishops, wherethrough in the judgment of such as understand best their proclamations and proceedings are made of no legal force, to hinder the absolutely necessary meetings of all that have interest in this common cause and extraordinary

exigency.' At a later date they told the Marquis of Hamilton that 'a Protestation is the most ordinary humble and legal way for obviating any prejudice that may redound to any legal act, and of preserving our right, permitted to the meanest subjects in the highest courts of Assembly and Parliament, whenever they are not fully heard or being heard are grieved by any iniquity in the sentence, which is grounded on the law of nature and nations: that it is the perpetual custom of this kingdom even upon this reason to protest, as it were in favour of all persons interested and not heard by any express act *salvo jure cujuslibet*, even against all Acts of Parliament.'

4. A NATION'S SOUL AWAKE: HENDERSON AND WARISTON FRAME THE NATIONAL COVENANT

February—April 1688

The Protestation was in fact a declaration of war. Although in form it was directed against the bishops, the supplicants could no longer conceal from themselves that the king was the enemy. To continue their agitation was declared to be treason; they must therefore either submit or organise the movement on a national scale adequate to cope with the whole force which the Crown could bring into play to crush them. It was a high and perilous enterprise, but the great qualities of their leaders—their courage, insight, and political sagacity—proved equal to the new demands. Without delay Rothes issued a ringing appeal which showed true appreciation of the crisis to noblemen, barons, and others not yet identified with the cause.

‘ We have here in present consideration,’ he wrote, ‘ the most important business that ever concerned this nation, both in respect of the dangerous estate wherein our religion, our kirk, liberties, lives and fortunes presently stand by these innovations of the Service Book, Book of Canons, and High Commission, and divers Proclamations, and other courses daily intended and plotted by our adversaries, not only to restrain our liberty but also to take from us all means of ordinary and lawful remedy.’ In order to consult together ‘ for taking a general course for preventing the imminent evils that concern all the subjects,’ the persons addressed were urged to hasten to Edinburgh.

At the same time a document called an Information was issued to the general body of supporters narrating the recent events, and requesting as many as possible to repair with all diligence ‘ to this solemn meeting which is now at Edinburgh.’¹

It was at this time, according to Rothes, that the organisation of the Tables was completed by four representatives of the barons, burghs and ministry respectively being conjoined with the noblemen in a committee.

Already on Friday, 23rd February, their numbers were largely increased. The chief danger at the moment was the danger of division in their own ranks. Almost every shade of opinion was represented among them. There were high Presbyterians who objected to Episcopacy out and out: others who acquiesced in a modified Episcopacy but refused the Articles of Perth: others again who were not troubled by these things and whose objections were only against the doctrinal errors

¹ Rothes’s *Relation*, pp. 67-8.

and dangers of the Service Book. Insidious attempts were made by the Council and the friends of the bishops to sow among them the seeds of disunion. Their emissaries suggested that in the interests of peace they should plead with the king for the removal of the Service Book and Canons and for restraining the High Commission; they went so far as to undertake that these concessions would be obtained.

To Scotsmen in so grave a situation it was almost inevitable that the idea of a 'band' or covenant should suggest itself, as so often before in their nation's history. It probably occurred to several minds, it certainly occurred to Henderson, the ablest and clearest-headed among them. 'The noblemen with Mr. Alexr. Henderson and Mr. D. Dickson resolve the renewing of the old Covenant for religion,' says Baillie.¹ It was a masterly stroke for uniting the whole body on a common ground to renew the old Confession of 1580-81 against Popery, subscribed then by King James and his household, again in 1581 by persons of all ranks, again in 1590 by a new Ordinance of Council 'with a general band for maintenance of the true religion and the king's person'; and taking this as a basis to bring it down to date by making 'such additions as the corruptions of this time necessarily required to be joined, and such Acts of Parliament as were against Popery and in favour of the true religion.' It was on Friday, 23rd, that this momentous decision was taken by 'a conjunct motion from the nobility, gentry, burgesses and ministers.'² On the same day the task was begun. It was laid upon two men, Archibald Johnston of Wariston and Alexander

¹ *Letters* (Laing's ed.), i. p. 52.

² *Roth's Relation*, p. 70.

Henderson.¹ Johnston's work was the setting down of the earlier Confession and bond and the recitation of the statutes chiefly of James VI's reign dealing with religion, which form the first and second portions of the Covenant; Henderson's was the third and vital portion dealing with the new situation. Since the recovery of Wariston's *Diary* for this period we are now happily in possession of first-hand evidence which, taken with Rothes's narrative, enables us to trace the proceedings from day to day, from 23rd February till the end of the first week in March, and follow in detail the preparation, promulgation, swearing, and signing of this historic document, the National Covenant. Round the events of those days, so fateful for Scotland, tradition and imagination have fondly dwelt and woven a spell; we have now for our guide the clearer if soberer light of fact. The two men whose names are identified with the National Covenant were remarkably unlike. Johnston, the young advocate, was then only twenty-seven, Henderson was already fifty-five years old. Johnston was one of the counsel chosen by the noblemen to advise them on legal matters, the youngest of the group, but heart and soul in the cause—'the only advocate who in this cause is trusted,' says Baillie. He was an acute and able lawyer, devout, highly strung and excitable, given to extreme opinions and courses. His devotion to the cause was already raising apprehensions in the minds of some of his friends, they feared he might make shipwreck of his professional career. His brother-in-law, Robert Burnet, advocate, father of Bishop Burnet, warned him in January 1638 that 'this business would not only

¹ Rothes's *Relation*, p. 71.

crush all my hopes of profit, credit, ease, respect, payment of debt, provision for my children by my calling, but also endanger my present estate, calling, means, yea my life and person.' ¹ But he was resolved not to enter on this 'combat for maintenance of the truth without an absolute, free, unreserved, undaunted resolution to take my life and all in my hand, to lay them down at the feet of God, and under Him of man for the cause in hand': he acknowledged it to be 'the honourablest cause, condition, and charge' that ever he could be in, and he wished 'that the Lord would even honour His unworthy servant with the crown of martyrdom.' These words remind us of another Scottish lawyer who, in a crisis of the Church of Scotland two hundred years later, though wholly unlike in temperament, was animated by and served her with a like ardent (but wiser) devotion at the cost of his worldly prospects. Of Alexander Murray Dunlop, the legal adviser of the non-intrusion party in the conflict which issued in the Disruption of 1843, Lord Cockburn wrote: 'Dunlop is the purest of enthusiasts. The generous devotion with which he has given himself to this cause has retarded and will probably arrest the success of his very considerable professional talent and learning. But a crust of bread and a cup of cold water would satisfy all the worldly desires of this most disinterested person. His luxury would be in his obtaining justice for his favourite and oppressed Church, which he espouses from no love of power or any other ecclesiastical object, but solely from piety and love of the people.' ²

Henderson was not inferior to Wariston in

¹ *Diary*, pp. 306, 307.

² *Journal*, i. p. 326.

courage and devotion, but he was calm and dispassionate in judgment, statesmanlike in grasp, moderate and conciliatory in the expression of his views, and endowed with the happy gift of winning the esteem of men who disliked his opinions. And events were soon to show that in managing difficult affairs he was a wise and capable leader.

On Friday, 23rd, it was agreed that the solemn occasion should be observed by fasting and prayer upon Sunday, and ministers were appointed to officiate in the Edinburgh churches. Wariston notes that 'thereafter Mr. Alr. Henderson, having said a pithy short prayer for God's direction, and I fell to the Band whereof we scrolled the narrative.'¹ On Saturday, 24th, Wariston spent two hours in 'drawing out the main points out of the Acts of Parl. to be put in the Band.' On the same day at a meeting of the noblemen a committee was appointed, consisting of Rothés, Loudoun and Balmerino, to revise the draft, and Wariston read to them the portion he had written. At the same meeting we have a hint of the subtle influences which were at work to undermine the movement. The cautious Loudoun impressed on them that the secret efforts of the bishops and Traquair were mere traps to catch unwary supplicants, and desired that none of the noblemen should have any dealing with the other side without the knowledge and consent of the rest. Nor were these men unmindful that money was needed to carry on the stern work on which they were entering. Rothés proposed that they should all lay a voluntary assessment—a 'stent'—upon themselves, nobles, barons, burghs, according to their abilities, and

¹ *Diary*, p. 319.

this was done. On Monday, 26th, Wariston gave nine hours to the work, but Henderson and he found it heavier than they had expected, and at a meeting with the noblemen in John Galloway's house told them it was impossible to have the draft ready that day, but they would use all expedition to have it prepared against Tuesday morning. On Tuesday, 27th, the noblemen met in the same house which stood, as the Town Records show,¹ in Niddry's Wynd, running between High Street and Cowgate, represented by the Niddry Street of the present day. The draft of the Covenant was then read, certain objections were raised and discussed, and a few verbal changes made. Rothes and Loudoun were appointed to meet the ministers on the same afternoon. The meeting took place in the Tailors' Hall, which then stood in the Cowgate. The two noblemen were accompanied by the two authors of the draft. First they had a private meeting with the commissioners of presbyteries in the summer-house in the yard, then with the whole of the ministers, between two and three hundred, in the hall. It was known that the ministers felt greater difficulties about the Covenant than the laity, and this meeting was the critical one. 'Afternoon, with great fears we went to the ministry,' says Wariston. When at length the difficulties were surmounted and their adhesion secured by alterations and concessions, every heart overflowed with joy. 'My heart did leap within for joy,' says Johnston. 'My Lord Rothes,' writes Baillie, 'finding our great harmony, departed with the profession of great joy, for this union was the great pillar of the cause.' But the harmony was

¹ A. Guthrie's *Protocol*, vol. 6, fol. 270.

not secured until the draft had been subjected to careful criticism and considerable change. What the nature of the criticism was we learn from Baillie. His attitude was conservative ; he had no objections to Episcopacy, he had accepted the Perth Articles, and he represented a large body of ministerial opinion. He had already indicated his difficulties in private as soon as he learned that it was proposed in the Covenant to declare against bishops and ceremonies. He had been reassured, but whether his objections were given effect to before the meeting on Tuesday afternoon or at the meeting is not clear. It is clear, however, that there was both discussion and amendment then : ' the draft was again read before all as it was mended, and no objection was made against it.' ¹ The difficulties all arose in the third part of the document. It contains the following clause : ' With our whole hearts we agree and resolve all the days of our life constantly to adhere unto and to defend the foresaid true Religion, and forbearing the practice of all novations already introduced in the matters of the worship of God, or approbation of the corruptions of the public government of the kirk, or civil places and power of kirkmen, till they be tried and allowed in free Assemblies and in Parliaments, to labour by all lawful means to recover the purity and liberty of the gospel as it was established and professed before the foresaid novations.' These words give effect to the views of Baillie and his friends. They were willing to ' forbear the practice ' of the ceremonies already introduced, but they declined to disapprove them ; they were ready to disapprove ' the corruptions ' of the bishops' government, but not to

¹ *Rothes's Relation*, p. 74.

condemn that form of government itself. Then there were other clauses which appeared to import 'a defence in arms against the king.' This was strenuously objected to : men like Baillie and Lord Cassillis, who had imbibed the teaching of Cameron at the University of Glasgow, held at that time strong views on the duty of obedience to kings. Charles was by and by to complete their education on that point ; meantime the document was changed 'so that no word I hope remains in this writ which can be drawn against the prince, but many sentences are expressly to the contrary.'

Wednesday, 28th February, was the great day.¹ At 8.30 in the morning Rothes and Loudoun met the commissioners of the barons or gentry at John Galloway's house. The forenoon was spent over 'long reasoning upon Perth Articles,'¹ says Johnston. Loudoun explained that the document had been previously submitted to the ministers because much of it was theological, and that they 'though much suspected before had freely assented thereto.' He invited the statement of objections and difficulties, but urged there should be no wranglings of words about things that were not of moment, reminding them of the vital importance of keeping together in the common cause in which all were deeply interested. When it came to voting, all assented except a Forfarshire laird, who preferred to wait till the others came up. At the close of this forenoon sederunt it was agreed that 'all the rest of the barons and gentlemen that were in town' or, as Wariston expresses it, 'the body of the gentry' should assemble at two o'clock the same afternoon in Greyfriars kirk. Rothes and

¹ Wariston's *Diary*, p. 322 ; Rothes, pp. 76-9.

Loudoun were to meet them there: the purpose was 'to hear but copies of it read and to answer objections.'

This forenoon meeting of commissioners of barons was followed by another with commissioners of burghs: they too approved the draft. The eager Wariston was not content with a copy or draft for the great afternoon meeting, he would help to expedite matters. 'I propone and resolve to have the principal ready in parchment in all hazards, that in case of approbation it might be presently subscribed.' He used the interval well, and before two o'clock arrived the Covenant was written out on 'a fair parchment above an ell in square.' The meeting with the 'barons and gentlemen' in the Greyfriars church lasted from two till four o'clock. 'I met,' says Wariston, 'all the gentlemen in a troop going up the causeway to the kirk.' The meeting was opened with prayer by Henderson, 'very powerfully and pertinently to the purpose in hand of renewing the Covenant,' says Rothés. Then Loudoun spoke, stating that the nobility, ministers, and commissioners of shires and burghs had agreed to this form which was to be read to them, wherein they took God to witness they intended nothing to the dishonour of God or diminution of the king's honour, and wished they might perish who minded other ways. Wariston then read the deed from his parchment, and Rothés desired those who had any doubts, if they were from the south and west country, to go to the west end of the kirk, where Loudoun and Dickson would attend them; if they were of the Lothians and the north side of Forth, to go to the east end of the kirk, where he and Henderson would attend them. 'Few

came, and those few proponed a few doubts which were resolved.' Then at four o'clock the noblemen came and subscribed the Covenant; after them the barons subscribed, 'so many as could subscribe that night till it was near eight.' That is the statement of both Johnston and Rothes.

To complete the narrative. During the night Wariston caused 'four principal copies in parchment' to be written. Next day, Thursday, the 1st of March, at nine o'clock, Rothes, Lindsay and Loudoun went down to the Tailors' Hall where the ministers met. There towards three hundred of them subscribed. Some had come to town since the Tuesday; for their benefit a private conference was held with the noblemen in the yard. On the same day at two o'clock the commissioners of burghs also subscribed.

On Friday, 2nd March, it was resolved that a copy of the Covenant should be provided for each shire, stewardry or distinct judicatory, for the principal persons there, and one for each parish, to be signed by all persons in the parish who were admitted to the Sacrament. It is on this day, 2nd March, that we find the first mention made of the Covenant being signed by the people at large. On Friday in the College kirk—Trinity kirk, which stood at the foot of Leith Wynd—after an exhortation by Henry Rollock, Wariston 'read it publicly before the people of Edinburgh, who presently fell to the subscribing of it all that day and the morrow.'¹ But Sunday, 1st April, was Covenant Sunday in Edinburgh. On that day Henry Rollock preached (probably in the same Trinity College church), and thereafter desired the

¹ *Diary*, p. 323.

nobles and all the people to stand up. He asked the noblemen first—Montrose, Boyd, Loudoun, Balmerino—to hold up their hands and swear by the name of the living God, and desired all the people to hold up theirs in the like manner. At the instant of rising up and holding up their hands there burst forth, says Wariston, such an abundance of tears, sighs, and sobs through all the corners of the church ‘as the like was never seen or heard of.’ In Greyfriars church on the same day the Covenant was sworn, both at forenoon and afternoon service, amid similar scenes of profound emotion.

Throughout all the detailed descriptions of these events there is from first to last no mention whatever of Greyfriars churchyard. There is no mention of weeping multitudes, too great to find room in any building, pressing round a flat tombstone in the churchyard on which the parchment was spread, and signing it there.¹ That is a picturesque and dramatic story, but in point of fact no such thing occurred. It was only nobles and barons who signed on that great Wednesday, the 28th; the signing went on till near eight o’clock that February night, and it went on in the church.

The popular story seems to owe its origin to a statement in Bishop Guthry’s *Memoirs*, first written down many years after and not published till 1702. It is not known whether or not Guthry was present; in any event Wariston and Rothes were in the heart of these transactions, and their accounts were committed to writing at the time. One copy of Guthry’s manuscript speaks of certain persons assembled ‘in the Greyfriars church and church-

¹ Gardiner, *History of England*, viii. p. 333.

yard,' the other drops out the church and mentions only 'the Greyfriars churchyard.'¹ On this slender foundation, if it can be called a foundation, the popular story was built up. In the hands of George Crawford, who wrote in 1726, it grew into a definite statement that 'the Covenant . . . was first publicly read and subscribed in the Gray-friars Church and churchyard at Edinburgh, the 1st of March 1638, by a numerous assembly with great joy and shouting.'² The only authority cited is Guthry, but his statement merely is that the Covenanters 'being all assembled in the church and churchyard, the Covenant was publicly read and subscribed by them all with much joy and shouting';³ he does not say that it was subscribed in the churchyard. And, according to Guthry, the persons who so subscribed were not the populace generally, but the noblemen and others who had ridden from Stirling to Edinburgh. Robert Chambers, writing in 1828, is the first to introduce the tombstone. He speaks of an 'immense multitude which had collected in the churchyard,' and goes on to say the Covenant after being signed in the church 'was handed out . . . and laid upon one of the flat monuments so thickly scattered around, and subscribed by all who could get near it.' He adds that a contemporary writer describes it as a most impressive sight when the Covenant was read to this vast crowd, 'to see thousands of faces and hands at once held up to heaven in token of assent, while devout aspirations burst from every lip and tears of holy joy distilled

¹ Moir Bryce, *History of the Old Greyfriars Church*, cap. 8, by Hay Fleming; a learned and exhaustive discussion from which I have drawn the narrative in the text.

² *Lives and Characters of the Officers of the Crown and of the State in Scotland*, i. p. 186.

³ *Memoirs* (ed. 1702), p. 30.

from every eye.’¹ For this statement he names no authority. He may possibly have had in mind the language of John Livingstone, a Presbyterian minister, who says he had ‘seen above a thousand persons all at once lifting up their hands and the tears dropping down from their eyes’ when the Covenant was read and sworn, but that was at Lanark on a Sabbath, after the forenoon sermon.² Another writer then living was Gordon, parson of Rothiemay. His statement is that in the Greyfriars church the Covenant was first read over and then subscribed ‘by all that were present . . . and then through the rest of the city it went.’³ About the churchyard he says not a word.

It is easy to see how one touch after another was added to the picture. A story so moving and graphic, once put in circulation, made an irresistible appeal to the popular imagination. To the mass of Scotsmen the hunted Covenanters of the killing time were heroes and martyrs, and such a scene enacted in Greyfriars churchyard, under the shadow of the romantic Castle rock, would appear to them a natural and fitting prelude to a great chapter in the nation’s history.⁴

But though we regretfully part with this tradition, it remains true that the heart of Scotland was profoundly moved. Scenes such as that above described occurred over the country when the Covenant

¹ *History of the Rebellions in Scotland under the Marquis of Montrose and Others*, i. p. 93.

² *Life of Livingstone*, Select Biographies, Wodrow Society, i. p. 160.

³ *History of Scots Affairs*, Spalding Club, i. pp. 43-4.

⁴ Here is an amusing story of the growth of another Covenant legend. That John Gordon, Earl of Sutherland, was the first to sign the Covenant in Greyfriars church is stated by the parson of Rothiemay, who says he was credibly informed of this (Gordon, *History of Scots Affairs*, i. p. 43). R. Chambers (1828) adds ‘a nobleman, venerable for his excellent domestic character.’ Aiton (1836) is content to say simply ‘the

was sworn in churches. At Currie, on 18th March, Wariston was present and describes what he saw. At the congregation standing up and lifting up their hands, 'in the twinkling of an eye there fell such an extraordinary influence of God's spirit upon the whole congregation, melting their frozen hearts, watering their dry cheeks, changing their very countenances, as it was a wonder to see so visible, sensible, instantaneous a change upon all, man and woman, lass and lad, pastor and people, that Mr. John (Charteris), being suffocated almost with his own tears and astonished at the motion of the whole people, sat down in the pulpit in an amazement, but presently rose again when he saw all the people falling down on their knees to mourn and pray, and he and they for a quarter of an hour prayed very sensibly with many sobs, tears, promises and vows.'¹ In cities the churches could not contain all who crowded to hear the preachers, and some drew their own blood and used it to sign their names.²

The deepest note in the great Covenant, the note which alone explains such scenes occurring among a people habitually reticent and unemotional, is the note of religion, of personal and national dedication to God. 'From the knowledge and conscience of our duty to God, to our king and country, so far as human infirmity will suffer, wishing a further measure of the grace of God for this effect, We promise and swear by the Great

venerable Earl of Sutherland.' In the hands of Hetherington (*History of the Church of Scotland* (1842 ed. p. 275) this blossoms out into 'an aged nobleman, the venerable Earl of Sutherland,' stepping 'slowly and reverentially forward' and subscribing 'with throbbing heart and trembling hand.' In point of fact the Earl of Sutherland was at the time about twenty-nine years old, having been born on 9th March 1609. See Moir Bryce, *History of the Old Greyfriars Church*, p. 62; Sir W. Fraser, *The Sutherland Book*, i. p. 209.

¹ *Diary*, pp. 327-8.

² *History of Scots Affairs*, Spalding Club, i. p. 45.

Name of the Lord our God to continue in the Profession and Obedience of the foresaid Religion. . . . And because we cannot look for a blessing from God upon our proceedings except with our profession and subscription, we join such a life and conversation as beseemeth Christians who have renewed their covenant with God : We therefore faithfully promise for ourselves, our followers, and all others under us, both in public, in our particular families, and personal carriage to endeavour to keep ourselves within the bounds of Christian liberty, and to be good examples to others in all godliness, soberness and righteousness, and of every duty we owe to God and man. And that this our Union and Conjunction may be observed without violation we call the living God, the Searcher of our hearts, to witness, who knoweth this to be our sincere desire and unfeigned resolution, as we shall answer to Jesus Christ in the great day, and under the pain of God's everlasting wrath, and of infamy and loss of all honour and respect in this world. Most humbly beseeching the Lord to strengthen us by his Holy Spirit for this end, and to bless our desires and proceedings with a happy success, that Religion and Righteousness may flourish in the land, to the glory of God, the honour of our king, and peace and comfort to us all.'

On 5th April, Baillie was able to report : ' The great business among us since that time (*i.e.* the first signing of the Covenant) has been to have that Confession subscribed by all hands, and through all hands almost has it gone. 'Of noblemen at home who are not Councillors or papists, unto whom it was not offered, I think they be within four or five who have not subscribed.

All the shires have subscribed by their commissioners; all the towns except Aberdeen, St. Andrews and Crail; yea the particular gentlemen, burgesses and ministers have put to their hands, and the parishes throughout the whole country, where the ministers could be persuaded, on a Sabbath day have all publicly with an uplifted hand, man and woman, sworn it.'

The Earl of Sutherland, Master of Berriedale, and other north country supporters undertook to carry the flag into the north and north-east of Scotland. At Inverness large gatherings were held on April 25th and 26th. Noblemen and gentlemen attended from Caithness, Sutherland, Ross, as well as from parts of Inverness and Moray. In the parish church the Covenant was read and explained, and subscribed by 'first the noblemen and special gentlemen, then the gentry of each shire.' Ministers of the various northern presbyteries also signed in large numbers. 'It was professed by all that it was the joyfulest day that ever they saw or ever was seen in the north; and it was marked as a special mark of God's goodness towards these parts, that so many different clans and names among whom was nothing before but hostility and blood were met together in one place for such a good cause and in so peaceable a manner as that nothing was to be seen and heard but mutual embracements with hearty praise to God for so happy a union.'¹ At Forres on 28th April, and at Elgin on the 30th, similar gatherings were held and the Covenant signed by many of all classes. In the north-eastern parts the bishops had considerable following, and the great Gordon

¹ *Ruthes's Relation*, p. 106.

clan threw its weight on their side. 'All the gentry,' says Rothes, 'in these parts (Moray) subscribed except some few who were kept back by the bishops' dealing, or had special interest to the bishops or Gordons.'

The Universities on the whole were hostile, notably Aberdeen, but that practically the movement was a national one is clear on the evidence both of friend and foe. As early as 5th March, Traquair, who had every desire to minimise it, reported 'the band is subscribed by many; and all qualities of people from all towns of the kingdom are coming in daily to subscribe.'¹

Interest and enthusiasm in the cause overflowed the bounds of Scotland. John Livingstone was immediately sent to London 'with several copies of the Covenant and letters to friends at Court of both nations.'² He rode disguised, and met with an accident which kept him indoors in London. Eleazar Borthwick, who was the chief medium there of communication between the friends of the cause at Court and those in Scotland, delivered the letters for him. 'Some friends and some of the English nobility came to my chamber to be informed how matters went. I had been but a few days there when Mr. Borthwick came to me and told me that the Marquis of Hamilton had sent him to me to show he had overheard the king saying I was come, but he would endeavour to put a pair of fetters about my feet. Wherefore fearing to be waylaid on the post-way I bought a horse and came home by St. Albans.'

¹ Hardwicke, *State Papers*, ii. p. 101.

² *Life of Livingstone*, Select Biographies, Wodrow Society, i. pp. 159, 160.

More remarkable still, the Covenant found its way to wandering Scots far off on the continent of Europe. Leslie signed it, and fellow officers and soldiers of all degrees fighting in the foreign wars. The Earl of Strafford, writing to Laud some months later, tells him he had sent from Ireland into Scotland an ensign of his army to glean what information he could about the Scots and their 'conspiracy.' 'One thing more this gentleman informs me very material, which is that they have sent their Covenant to their countrymen in foreign parts, and that all the Scottish in the service of the crown of Sweden to a man have sworn their Covenant; so as it is overplain how they draw to them on all sides, and remove every stone to their advantage.'¹

It was a supreme moment in the nation's history. 'In the thrill that went through Scotland the bulk of the nation felt itself one as it perhaps never did before or since.'² The faded old parchment which once expressed the awakened soul of a nation seems still to breathe forth something of that strong emotion, as we read on one of Wariston's 'principal copies' extant to-day in the Edinburgh Municipal Museum, 'John Cunynghame till daith'; 'E. Johnestoun with my ♥'; or this, 'Exurgat Deus et dissipentur omnes inimici ejus Johannes Paulicius manu propria.' Here we can trace the names of Montrose, Rothes, Cassillis, Loudoun, Alexander Henderson Leuchars, Johnstone of Wariston: on the front and back 4150 or thereby crowded together.³

When feeling was so widely and deeply stirred it was inevitable that many unworthy and unkind

¹ *Strafford Letters*, ii. p. 271.

² Rainy, *Three Lectures on the Church of Scotland*, p. 38 (ed. 1872).

³ Moir Bryce, *History of the Old Greyfriars Church*, p. 85.

things would be said and done. The minority—for there was a minority—had a hard and difficult lot. We can believe that they were equally true to conscience, and to be on the unpopular side needed no little courage. Many of them were exposed to injury and reproach, some to boycotting, threats and coercion.¹ An anonymous correspondent says, ‘In the west country they will give no passenger either meat, drink, or lodging for his money until he first give them assurance that he is a member of this unchristian Covenant.’² But it was so well known a man as David Mitchell, one of the ministers of Edinburgh, who complained that he had been made so odious that he dared not go on the streets. ‘I have been dogged by some gentlemen, and followed with many mumbled threatenings behind my back, and then when in stairs swords drawn and ‘if they had the papist villain.’³ Many unworthy elements and unworthy motives gather round good causes: it does not follow that the leaders either knew of or encouraged such conduct; and it is satisfactory to know that if threats were sometimes uttered no blood was shed.

The National Covenant has caused from that day to this the most acute differences of opinion. These have ranged from the ‘damnable Covenant’—the phrase in which Charles spat out his anger—to the language of a modern writer, who says, ‘The signing of the Covenant in Edinburgh on March², 1638, was perhaps the most remarkable scene in Scotland’s remarkable history.’⁴ The leading

¹ Gordon’s *Scots Affairs*, Spalding Club, i. p. 45.

² Hailes’s *Memorials: Reign of Charles the First*, p. 26.

³ *Ibid.*, p. 37.

⁴ *Edinburgh Review*, October 1882.

purpose of the Covenant undoubtedly was the defence of the reformed Protestant religion and of civil liberty: 'Because we plainly perceive that the Innovations . . . do sensibly tend to the re-establishing of the popish Religion and tyrannies and to the subversion and ruin of the true Reformed Religion and of our Liberties, Laws and Estates . . . therefore we promise and swear by the great Name of the Lord our God to continue in the Profession and Obedience of the fore-said Religion: that we shall defend the same and resist all these contrary errors and corruptions.' In the next place the Covenanters proclaimed with equal emphasis their loyalty to the king: 'We promise and swear that we shall to the uttermost of our power with our means and lives stand to the defence of our dread sovereign the king's Majesty, his person and authority, in the defence and preservation of the foresaid true Religion, Liberties and Laws of the kingdom.' And again: 'We declare before God and men that we have no intention nor desire to attempt anything that may turn to the dishonour of God, or to the diminution of the king's greatness and authority.'

But to all this is added a resolve to stand by each other: 'We promise and swear that we shall stand . . . to the mutual defence and assistance every one of us of another in the same cause of maintaining the true Religion and his Majesty's authority with our best counsel, our bodies, means and whole power against all sorts of persons whatsoever.' This was the clause that offended Charles, and on the face of it there was something to be said for his view that this was an illegal combination. It was one thing for subjects to sign a Covenant which the

king himself had signed ; it was another and very different thing to sign a Covenant which bound the signatories to defend and assist one another 'against all sorts of persons whatsoever,' and therefore it might be against their own king. Undoubtedly the Covenant was an unlawful combination if the king was acting within the constitution in imposing the Service Book and the Canons. But if the king was violating the constitution, was acting beyond the law, were his subjects not thereby set free from the duty of obedience, and entitled to resist such lawless action and to combine together in resisting it ? The king claimed the right to do what he had done without authority from Parliament or Assembly, but simply because he thought fit. Thereby he wrote his own condemnation. Because his power as king was limited by laws and constitution, and not controlled simply by his personal will, the verdict of history condemns his action and approves the reply which Scotland gave.¹

The Covenant made Henderson the first man in Scotland. Quiet days in a country parish were over for him now ; despite his love of retirement and lack of ambition, he was from this time onwards prominent and active in national affairs. The town of Dundee hastened to confer upon him its highest honour by making him a burgess, on the

¹ To a Scots lawyer it is a peculiar satisfaction to be able to cite the opinion of the late Lord President Inglis in support of the view that the National Covenant was lawful and justifiable (*Blackwood's Magazine*, November 1887). As to the authorship of the anonymous article, see Hepburn Millar, *A Literary History of Scotland*, p. 243 note. Professor Rait finds the Covenant 'a comparatively moderate document,' which 'could be signed by many who had been content with the settlement of James VI.' (*Scotland*, p. 202, *The Making of the Nations*).

ground of 'distinguished services to the State.' The burgess ticket is preserved in the Laing collection in the library of Edinburgh University. It is dated 28th May 1638, and bears the names of James Fletcher, provost, and Alexander Wedderburn, town clerk.¹ Edinburgh made another attempt to bring him to the capital. On 4th May 1638 the Town Council elected him to the second charge of Greyfriars, or the south-west parish of the city, as ministerial colleague to the well-known Andrew Ramsay.² That place had been vacant since the previous July, when James Fairlie had demitted office on being appointed, at an unlucky moment for himself, Bishop of Argyll. He was unwilling even now to quit his country manse, and declined to move. Yet nothing save his own modesty kept him anchored to Leuchars, which was at that very time a singularly unattractive spot to a churchman. The church building had fallen into a condition badly in need of repair, and the heritors were unwilling to tax themselves to put it right. A legal process had to be resorted to, an application to the Privy Council sitting at Stirling in name of 'Mr. Robert Craig, advocate, procurator for the kirk, and Master Alexander Henderson, minister at the kirk of Leuchars, for his interest.' On 28th June 1638 a warrant was granted on this petition. A copy of this warrant, dated 2nd July 1638,³ tells the tale that the kirk of Leuchars and choir

¹ Dundee warmly espoused the national cause. Fletcher was one of the protesters at the Market Cross of Edinburgh, on 4th July 1638, against the king's proclamation. Wedderburn was a Treaty Commissioner, first at Ripon and afterwards at London.

² Town Council Records, 4th May 1638.

³ The docquet on it shows it was registered at Cupar on 25th October 1639.

thereof and kirkyard dykes were found to be 'altogether ruinous and decayed in many places so that there is no convenient place for preaching, prayer or administration of the sacraments at the said kirk, which being intolerable nevertheless the parishioners will in no ways convene themselves for remeid thereof nor to contribute thereto without they be compelled.' Then follows the usual warrant to charge the parishioners to meet within the parish church of Leuchars 'for beitting and repairing of the kirk and choir thereof and kirkyard dykes,' and to prepare a stent roll and proceed with the stenting and taxation of the heritors, feuars, etc., for 'such sums of money as shall be thought necessary for beitting, mending and repairing' of the kirk and choir and kirkyard dykes.¹

May and June 1638 were days of high-wrought expectation and excitement in Scotland. The Marquis of Hamilton was fighting Charles's battle as best he could with the Church, and Henderson was in the thick of the fray. And all the time this man with a nation's burdens on his shoulders was struggling for decent church buildings at Leuchars.

5. HAMILTON AS KING'S MANAGING MAN

May—November 1638

Where were the king's ministers during those fateful days in Scotland? What were they saying or doing in face of this national uprising? There

¹ I am indebted to the kindness of Dr. Hay Fleming for a copy of this interesting document; also for placing at my disposal his copy of Castell's *Petition*, and for much valuable help otherwise.

can be no more striking evidence of the profound and immediate effect of the Covenant than the action of the Privy Council. On the 1st of March it met at Stirling, and it sat continuously for three days, and all day long. It made no attempt to minimise the new and alarming situation that had now arisen. Consternation and alarm had seized both the lay and the clerical members. The member who of all others ought to have been present in such a crisis did not find it convenient to attend. The Chancellor Spottiswoode was 'hindered by diverse urgent occasions.' When he first heard of the signing of the Covenant, he cried out in despair that all they had been attempting to build up during the last thirty years was now at once thrown down. He was too busy making preparations—as were most of his colleagues—to flee from Scotland, but he wrote to say that his mind was 'to lay aside the book and not to press the subjects with it any more, rather than to bring it in with such trouble of the church and kingdoms as we see.' On the 2nd the Council sat from eight till twelve, and from two till six; and the result of the long day's deliberation was that, 'having entered upon consideration of the present state of the country and causes of the general combustion within the same, they all in one voice conceive that the fears apprehended by the subjects of innovation of religion and discipline of the kirk established by the laws of this kingdom, upon occasion of the Service Book, Book of Canons and High Commission, and the form of introduction thereof contrary or without warrant of the laws of this kingdom, are the causes of this combustion.' The Bishop of Brechin, one of the hottest supporters

of the Service Book, was a party to this declaration. The following day, the 3rd, was spent in considering what more could be done 'for composing and settling of the present combustion and dissipating of the convocations and gatherings within the same,' only to end in the impotent conclusion that, 'seeing proclamations are already made and published discharging of such convocations and unlawful meetings, the Lords after voting find they can do no farther than is already done herein.' In the end they resolved to send up the Justice Clerk, Sir John Hamilton of Orbiston, to the king to represent to him the true state of matters in Scotland. His written Instructions added that the Council thought it expedient that the king would take trial of his subjects' grievances and the reasons thereof, that in the meantime he should declare that he would not enforce the book, and in any event that he would decide nothing without consulting some members of the Council. In order to add weight to their advice they requested Spottiswoode to sign Hamilton's Instructions and ask other bishops to do the same. They also wrote to the Earl of Morton in London, asking him to give his concurrence 'because the business is so weighty and important that to our opinion the peace of the country was never in so great a hazard.'¹ On the same date as these documents bore, 5th March, Traquair, the most influential and responsible layman in the Council, reinforced them by a letter to the Marquis of Hamilton in language even more plain and serious: 'If his Majesty may be pleased to free them, or give them any assurance that no novelty of religion shall be brought upon them,

¹ *Register of Privy Council*, vii. (2nd series), p. 456.

it is like the most part of the wisest sort will be quiet; but without this there is no obedience to be expected in this part of the world, and in my judgment no assurance can be given them hereof but by freeing them of the Service Book and Book of Canons . . . but except something of this kind be granted I know not what farther can be done, except to oppose force to force, wherein whoever gain his Majesty shall be a loser.' ¹

At last Charles was aroused to some sense of the danger. He sent Orbiston back to call up Traquair and Roxburghe for further consultation. In the Instructions of the two delegates the Council took occasion to tell the king that the country was 'in so pitiful an estate that we humbly entreat your Majesty to commiserate the same.' A long time elapsed before any decision was announced. Not till 16th May did Traquair appear before the Council at Dalkeith, with a missive from the king, informing them that the Marquis of Hamilton was appointed royal commissioner, and would produce his credentials at a solemn meeting of Council to be held on 6th June. It appears that in addition to Traquair and Roxburghe the king had summoned another member of Council, Lord Lorne, soon to be known as Earl of Argyll.² And he had also other advisers at his side: according to Burnet he called into consultation Laud and Spottiswoode, and the bishops of Galloway, Brechin and Ross.

During those critical weeks of March and April, one of the first questions discussed was whether the Covenant was or was not an illegal combination. It would have been of the utmost moment for

¹ Hardwicke, *State Papers*, ii. p. 101.

² Wariston's *Diary*, p. 329.

Charles to be able to strike down the popular leaders, as James had done after the attempted Aberdeen Assembly. If it were possible to have them convicted and punished, the movement, he might well think, would speedily collapse. The man who had put Balmerino on trial for his life on an infinitely less grave matter could not be averse to set the criminal law in motion to crush a combination which had already paralysed his authority in Scotland. In England at this very time he had appealed to his judges with success in the affair of Hampden and ship-money. Accordingly he turned, in the first place, to his legal advisers to find what they had to say on this all-important question. The answer forms an interesting chapter of Covenant history. In March interrogatories were prepared and submitted to Sir Thomas Hope, Lord Advocate, and two other leading counsel who held no office—Sir Thomas Nicolson, who was a supporter of the Covenant, and Sir Lewis Stewart, who was of the episcopal party. All three agreed in opinions adverse to the king's wishes: none of them would pronounce the Covenant treasonable or unlawful. The only one who advised any step being taken was Hope; he seems to have suggested a precognition—in other words, an examination of witnesses on oath preparatory to a charge. So much we learn from two letters of Traquair to Hamilton. They are undated, but must have been written in March or early in April. In the first he says, 'I have sent Sir Thos. Hope's, Sir Thomas Nicolson's and Sir Lewis Stewart's answers and resolutions to his Majesty's Interrogatories, sent down by me, together with a joint letter from the Earl of Roxburghe and myself, wherein we touch

no particulars except that we tell his Majesty the true cause of the advocates' long delaying of their answers . . . they do not much differ in their opinions, neither know I which of the three are most confident of their own judgments, and yet I must confess to your Lordship freely I can hardly agree in their opinions in some things, neither can I think the soundest and most understanding judges will in all particulars be of their mind.' In the second letter he writes, 'The three advocates' opinions give me no new grounds to think upon: I find them all three much of one mind, but of them all the king's advocate is most obscure, and his advice of a precognition in my judgment is dangerous both for the business itself and for our Master's honour: and my simple opinion is that his Majesty shall never show himself in this business, or any particulars that have relation thereto, but upon such sure and certain grounds as he shall be able to carry whatever he intends or goes about.'¹ In fewer words Baillie records, on 5th April: 'We are informed that the best lawyers, both Hope, Nicolson and Stewart, being consulted by the king, does declare all our bypast proceedings to be legal.' With this advice the king was deeply dissatisfied. We know from his correspondence with Hamilton that he regarded the Covenant as treasonable, and he instructed him, after he went down to Scotland as commissioner, to endeavour to obtain opinions from judges or counsel to support that view. On 13th June he wrote to Hamilton: 'One of the chief things you are to labour now is to get a considerable number of Sessioners and Advocates to give their opinion that the Covenant is at least

¹ Hardwicke, *State Papers*, ii. pp. 103-4.

against law, if not treasonable.’¹ But the royal commissioner found the task beyond his power. ‘I find by your Advocate that he conceiveth it [the Covenant] may be justified by law, and the most of the lawyers in the town are of the same opinion. The greatest number of the Session are of the same mind, but I shall leave nothing undone that can be thought, be it either by threats or bribes.’² It is a remarkable fact that no Scottish lawyer could be induced to side with the king on this question. Promotion doubtless awaited any man who would declare for the king’s view. And it will not do to suggest cowardice on the part of Sir Lewis Stewart, as Burnet does: ‘Sir Lewis Stewart promised private assistance, but said that if he appeared in public in that matter he was ruined.’³ As matter of fact he did appear in public very soon after, as legal adviser to the royal commissioner at the Glasgow Assembly, when Hope refused to go. This may be at least one explanation of the singular fact that Hope was retained in his post as Lord Advocate throughout this period although avowedly out of sympathy with the king’s policy. Stewart would have been appointed had Hope been dismissed. ‘The Advocate should be removed,’ wrote Hamilton. ‘I know none so fit for his place as Sir Lewis Stewart.’ Yet not even he would advise a prosecution of the Covenant leaders. Legal opinion in Scotland was unanimous against it, and much to Charles’s chagrin the matter had to be dropped. When we remember that rulers bent on arbitrary courses have rarely

¹ Burnet, *Memoirs of the Dukes of Hamilton* (1677), p. 57.

² *Hamilton Papers*, Camden Society, p. 8.

³ *Memoirs of the Dukes of Hamilton*, p. 53.

failed to secure the services of subservient lawyers prepared to find or to make law to suit the occasion, we shall be ready to give due credit to the courage and independence of the Scottish bar at this time. Every one will recall by way of contrast the contemporary case in England of Finch appointed Chief Justice of the Court of Common Pleas because Charles found in him an unscrupulous tool, and the equally notorious cases in a later generation of Jeffreys in England and Sir George Mackenzie in Scotland.

If the Covenant could not be crushed by invoking the criminal law, there remained only two other methods of handling the situation. The king must either come to terms with the Covenanters or he must fight them. Some of the bishops are said to have advised measures of violence, but it was resolved to have recourse to negotiation. The progress of the cause in the north, as shown by the great gatherings and numerous adhesions at Inverness and other places in April, was not without its effect in leading to this decision. But the sequel was to show that Charles knew neither how to negotiate nor how to fight.

It was no fault of the opposite party if he did not now clearly understand what their position and demands were. After the Covenant was signed they made every possible endeavour to inform him fully by communicating, not through the Privy Council but more directly. This they did with the aid of three Scottish noblemen then at Court—Lennox, Hamilton and Morton. Two important documents were prepared and issued, both of them the work of Henderson with the assistance of Wariston. The first was for

general circulation. It bore the uncompromising title, 'The Least that can be asked to settle this church and kingdom in a solid and durable Peace,' and was intended to prevent people being led away by suggestions from the bishops' party of a specious but unsatisfactory character. The second was a carefully considered paper intended for the king; its title bore 'Articles for the present Peace of the kirk and kingdom of Scotland.' They wished to make sure that Charles should know direct from themselves what their desires were 'before he gave out any further declaration of his mind.' They were haunted by misgivings whether even yet the king was fully informed as to their position, and they spared no pains, by entrusting their documents to special messengers and by seeking the intervention of influential Scotsmen at Court, to secure that their case should be stated to the king in their own words.

These two documents are conspicuous milestones on the road which the Church and kingdom of Scotland were now travelling. They cover the same ground, and are noteworthy as showing how far the controversy had broadened and deepened in the few months which had passed since Henderson tabled his petition to the Privy Council in August of the previous year. It had now passed beyond the mere matter of the Service Book, indeed it had gone beyond the limits of a controversy relating merely to Church matters; 'kirk and kingdom' were now both involved. Both documents put firmly in the forefront the proposition that the discharge of the Service Book, Book of Canons and High Commission 'may be a part of the satisfaction of our just complaints which therefore we still

humbly desire ; but that can neither be a perfect cure of the present evils nor can it be a preservative in times to come.' Then they go on to deal with the larger issues which had emerged. The Court of High Commission must be abolished. It endangered the consciences, liberties, estates and persons of all the lieges. It was introduced not only without law of kirk and kingdom but against the express acts of both ; it proved prejudicial to the lawful judicatories, it was a yoke and burden which they felt and feared to be more heavy than they should ever be able to bear. The urging of the Articles of Perth must cease. They had been ' introductory to the Service Book and in their nature make way for Popery, and withal have caused troubles and divisions these twenty years, and jealousies betwixt the king and his subjects without any spiritual profit or edification.' As to civil places and offices of kirkmen and the vote of ministers in Parliament the position taken is that the Church by various caveats and canons agreed upon in General Assemblies had limited the ministers who were to vote in Parliament ; that it had lamentable experience of the evils which had arisen from these limits being disregarded ; so long as ministers voted absolutely, without the limitations of these canons, they could not be thought to vote in name of the kirk. The next topic dealt with is the entry of ministers to their office : a proposal is made of a thoroughgoing change incompatible with the existing episcopal constitution. The proposal is to go back to the Act of 1592, the great presbyterian charter. That Act declared that God had given to the spiritual office-bearers of the kirk collation and deprivation of ministers, that the power granted to bishops in

1584 to receive the presentation to benefices was to be null in time coming, and it ordained that all presentation to benefices be directed to particular presbyteries with full power to give collation thereupon, they being the lawful office-bearers of the kirk to whom God had given that right. Beyond this ministers are not to be burdened by unlawful oaths. 'We have no grievance,' it is declared, 'more universal or more pressing than that worthy men who have the testimonies of their learning from universities, are tried by the presbyteries to be qualified for the work of the ministry, and for their life and gifts are earnestly desired by the whole people, are notwithstanding rejected because they cannot be persuaded to subscribe and swear such unlawful articles and oaths as have neither warrant in the acts of the kirk nor laws of the kingdom, and others of less worth and ready to swear (as for base respects unworthy to be mentioned) obtruded upon the people, and admitted to the most eminent places of the kirk and schools of divinity. The next article touched bedrock. It demanded that General Assemblies be revived by the king's authority and appointed to be kept at the ordinary times. The Assemblies must be 'lawful and free national Assemblies'; in them kirkmen might be tried in their life, office or benefice. In the first document 'for informing the people' this subject is explained more fully. It is recalled that even the Glasgow Assembly of 1610 gave the General Assemblies the power of trying prelates in regard to their life, office and benefice, and it is pointed out that one of the urgent duties of a free Assembly now will be the trying and censuring of the present archbishops and

bishops 'the authors and causes of all innovations complained upon'; without that they declare there is 'no appearance of laying the present commotions and combustions in this kingdom.' But the Articles submitted to the king are no less outspoken. Kirkmen are to be subject to the General Assembly which he is asked to summon 'at His Majesty's first opportunity and as soon as may be conveniently': that course alone offers any prospect of 'helping the present evils' and preserving the peace of the kirk. In its 8th and last article the document craved the king for the summoning of a Parliament 'for the timeous hearing and redressing the just grievances of his subjects, for removing their common fears, and for renewing and establishing such laws as in time coming may prevent both the one and the other, and may serve the good of the kirk and kingdom.'

Had the Service Book been withdrawn in the previous year it is probable that Scotland would have asked nothing further, but it is to be observed that Henderson's petition, based as it was on the fact that the innovations were not warranted by Assembly or Parliament, contained by implication all that is set forth in the Eight Articles. The refusal of the limited request and the king's temporising conduct had brought home to the presbyterian party the danger of being content to rest merely on his forbearance, and had forced them back on a demand for the restoration of that Church government in which they saw the only security for their religion.

Plainly those men knew their own minds and were in earnest. If King Charles was now to negotiate with them to any effect he must needs understand

them and he must know his own mind. But Charles did not understand them and he did not know his own mind. His idea was to send out proclamations couched in vague and pompous language which might mean anything or nothing. If that failed, as it was bound to fail, he had no plan as to what his next step was to be. His letters to Hamilton, it is true, are full of strong language about his military preparations, and about flattering the Covenanters with hopes so as to 'win time' till he is ready to strike. But it would be giving Charles too much credit to suppose that, like a deep and wily diplomatist, he was really keeping his victims in play while he gathered his forces to crush them. Of such prompt and resolute action he was quite incapable. His talk about fighting was largely talk and nothing more, and when the time did come for fighting it turned out that his opponents were far more ready than he. He was simply drifting along without a definite policy, unless it were—as it was irreverently described by an onlooker at the time—the policy of 'boggling and irresolution.'¹ The result was what might have been foreseen. In the three and a half months, from the beginning of June till the middle of September, Hamilton was hustled along from one position to another till he had abandoned all his original grounds and conceded a General Assembly and a Parliament. He did not even 'win time' for his master, and he certainly did not win the respect of his opponents. They learned to read Charles like an open book and to entertain for his policy only contempt. 'It seemed to many,' says Baillie, 'that his instructions were

¹ Hailes's Memorials: *Reign of Charles the First*, p. 25.

of so many parts, that he had warrant to press every piece to the utmost, and then to pass from it, if no better might be, to the next. This seemed to some of us the beholders but little policy : we thought it had been more expedient for our division, their main end as was thought by some, to have at the very first granted frankly all they could be brought to, than to offer some few things which could content none, and to enter upon second offers after the resolute rejection of the first. This did bind us all the faster, made us the more bold in pressing our full desires.' ¹

Hamilton reached Edinburgh on the 7th of June. He had a great reception, a vast concourse of 60,000 of all ranks and classes meeting him on the sands between Musselburgh and Leith, on Leith Links, and all the way up to the Canongate. At once he learned enough to show him that the state of matters was worse than his worst fears. 'What was but surmises when I wrote to your Majesty from Berwick I find now to be true, to the unspeakable grief of all your faithful servants and loyal subjects, to see the hearts of almost every one of this kingdom alienated from their sovereign.'² He had private interviews with members of the Privy Council and with leaders of the Covenanters. In his earlier letters he refers to these last as 'Combiners.' The historic name of 'Covenanters' was only coming into use ; it was fastened on them apparently by opponents, but they were not ashamed of it : not for the first time in history a name of reproach became a badge of honour.³

¹ *Letters* (Laing's ed.), i. p. 85.

² *Hamilton Papers*, Camden Society, p. 3.

³ Hailes's *Memorials : Reign of Charles the First*, p. 70.

Hamilton brought down with him two proclamations in which the king promised that he would not press the Canons and Service Book 'except in such a fair and legal way as shall satisfy all our loving subjects.' One of them demanded that all copies of the Covenant should be delivered into the hands of the Privy Council. He was to use one form or the other according to circumstances. Traquair and Roxburghe told him at once that to demand the giving up of the Covenant would ruin his mission. The tenor of the proclamations became known to the other side and created an immense stir. They soon made it plain to Hamilton that they would listen to no such terms;¹ that they meant to have just what their Articles declared; 'that they would sooner lose their lives than leave the Covenant'; that of the two proclamations in his pocket neither the milder nor the sharper one would meet the situation, and if he ventured to put forth either of them it would immediately be checkmated by a protestation. His letters to the king are a kind of barometer showing the political weather in which he found himself. At the outset he is in the depths of despair, telling the king as early as 7th June to hasten on the preparation of his forces by land and sea; he is sure of victory, though it is little consolation to know that 'when it is obtained it is but over your own poor people.' Meanwhile he continues his 'private dealing' with the leading men, and reports a few days later that the omens were more favourable, and that all the talk about using force had better be dropped. On 15th June he is again in distress, his fair hopes are quite vanished, he is harping on

¹ Baillie, *Letters* (Laing's ed.), i. p. 84.

the string that force is the only means left to teach these people obedience. He is 'forced almost to take new resolutions every day to keep them quiet.' They are pressing him for the calling of a General Assembly, and the distracted Commissioner can only plead that that is beyond his mandate, but he will go back to the king for fresh instructions. Wariston tells the same story from the other side. Under date 13th June he notes: 'This day we trysted on all day with the Commissioner but could settle nothing.'¹ On the 14th: 'First the advocates, then the nobility and gentry resolved all *una voce* the absolute necessity of protesting, for the which my heart blessed the name of God who drew so great unity out of appearances of division amongst us, so that the Commissioner put off that day in his irresolutions; but at night we sent away to all the burghs in Scotland a draft of a Protestation to meet the Proclamation wheresoever it was proclaimed, either before or after the proclaiming of it here in Edinburgh.' One of the expedients that occurred to Hamilton was to get a document from the Covenanters explaining away the clause of mutual defence in the Covenant. The Tables were suspicious; they scented 'delays and snares,' but in the end an Explanation was drawn up. If Hamilton thought this would ease his path he was mistaken; Charles would listen to no explanation. 'So long,' he wrote, 'as this Covenant is in force (whether it be with or without Explanation) I have no more power in Scotland than as a Duke of Venice, which I will rather die than suffer.' The demand for a free General Assembly and a Parliament was daily growing louder, the alarming

¹ *Diary*, p. 351.

suggestion was even made whether an Assembly or Parliament might not be called without the king's leave, and only by promising to be back in Edinburgh with fuller instructions by the 5th of August did Hamilton secure a few weeks' respite. Hardly had he left town when Charles's command reached him to publish the Proclamation before coming away. The harassed Commissioner turned back at Seton, and the Proclamation was made at the market cross on 4th July. Its terms had been altered at Hamilton's suggestion: in addition to assuring his subjects that he would not press the Canons and Service Book, but 'in a fair and legal way,' and would 'rectify' the High Commission, he promised a free Assembly and Parliament 'which shall be indicted and called with our best convenience.' This Proclamation, says Baillie, was heard by a world of people with great indignation; 'we all do marvel that ever the Commissioner could think to give satisfaction to any living soul by such a declaration.' Johnston calls it bluntly 'a damnable piece';¹ he at once read a Protestation, surrounded by a crowd of supporters. It pointed out that none of their requests had been satisfied, but had in effect been refused by delay, declared their adherence to the Covenant and the late Articles, and boldly appealed to a free General Assembly of the Church and Parliament of the Estates as 'the only proper judges to national causes and proceedings.' Hamilton's troubles that day did not end at the market cross, there was a more painful sequel in private. He induced a number of the Council to sign an Act ratifying the Proclamation, but a remonstrance

¹ *Diary*, p. 360.

by the Covenanters brought them to another mind, and they compelled him to tear up the paper containing the Act which had not yet been registered.

While the Commissioner was absent the Tables thought it well to make an effort to win over Aberdeen and the Gordon country to their side. This was the only part of the country that was now in serious opposition. The air was thick with rumours of an impending attack on Scotland both by sea and land. It was believed to be part of the king's plan to send troops north to join Huntly's forces, and then to march south and attack the Covenanters in the rear while he himself moved up with a force from the south. Of the deputies sent north on this propagandist work the chief were Montrose, Henderson, Dickson, and Cant, who was minister at Pitsligo. There was a curiously similar affair at the time of the Reformation. At the General Assembly of January 1561, Knox and other reformers had a disputation with the sub-Principal and the Canonist of King's College. Nothing resulted from the conference—at least nothing but mutual exasperation.¹ The present visit lasted from 20th till 28th July. The visitors did not convert the Aberdeen doctors, but they seem to have won over many of the citizens, and to have had very considerable success in the neighbouring districts.² Montrose in his fervour started badly by refusing the hospitality of the burgh when the magistrates came to offer them 'the cup of Bon Accord,' unless they first signed the Covenant. When Henderson and his col-

¹ See Cosmo Innes, *Sketches of Early Scotch History*, p. 276.

² Guthrie's *Memoirs* (ed. 1702), p. 33.

leagues asked leave to preach in the Churches on Sunday the 22nd, the clergy refused the request. The Aberdeen doctors have been described as 'upholding the noble banner of intellectual freedom,'¹ but they did not choose that their people should hear doctrines different from those taught by their own pastors.² Great crowds, however, listened in the open air to the case for the Covenant, the ministers speaking from a gallery in the court of the Earl Marischal's house in the Castlegate, then occupied by Lady Pitsligo. An argumentative warfare was carried on between the opposing clergy in writing. The doctors first presented fourteen Demands; to these Answers were sent; Replies to these were handed to the delegates when they returned to Aberdeen at the end of the week's campaign in the country.

In the following week Henderson and the others left Aberdeen, and shortly afterwards sent Answers to the Replies. Lastly came Duplies sent by the six doctors. There was room for endless controversy, and each side as usual claimed the victory. Patrick Forbes was now dead, but the scholars chosen by him filled the pulpits and chairs in Church and University. Aberdeen academic learning had more than a flavour of episcopacy and ultra loyalty. The doctors were royalists before everything else. They would not condemn episcopacy nor abjure the Perth Articles. They adhered to the discipline of the Reformed kirk of Scotland, and confessed their 'obedience to the kirk of Scotland in all her lawful constitutions,' though they did not believe 'in any immutability of that

¹ Gardiner's *History of England*, viii. p. 359.

² Grub, *Ecclesiastical History*, iii. p. 13.

presbyterial government.’¹ They had no objections to the ecclesiastical policy either of James or Charles, and it followed that they could not look with favour on the Covenant, which was without authority from king or council. All covenants of mutual defence by force of arms without the king’s consent were forbidden by Act of Parliament, and therefore this one was illegal. Henderson argued the other side. He stated more than once that Hamilton had expressed himself as satisfied with the Covenanters’ explanation of the Covenant to the effect that they would stand to the defence of the king to the uttermost of their power with their means and lives, also that the Privy Council had cancelled the Act ratifying the proclamation of 4th July. Hamilton challenged Henderson’s veracity on these two points: he denied that he had ever approved or accepted the explanation, and he asserted that the Act of the Council remained as it was. In all controversies Henderson bore himself by universal testimony with marked courtesy and highmindedness, and this impeachment of his honour caused him much pain. That he should not lie under any imputation the noblemen connected with the Tables publicly identified themselves with him and vindicated his conduct. Hamilton played a strange part. He seems to have been sincerely desirous to serve the king, but there was a widespread feeling that he wished at the same time to stand well with his own countrymen. Charles’s expression ‘I commend the giving ear to the Explanation or anything to win time’ suggests an attitude on Hamilton’s part that may well have seemed to the other side

¹ Burnet, *Memoirs of Dukes of Hamilton* (1677), p. 86.

to mean acceptance of it. If there be truth in the story which Guthry tells¹ that Hamilton encouraged the Covenanting leaders to persevere in their policy, speaking to them as a 'kindly Scotsman,' then there is more than ample ground for the general belief in Scotland that he was throughout playing a double game. A man who could so act will not be believed against the unsullied name of Henderson.

The Commissioner returned to Edinburgh on 10th August with fresh instructions. Charles had yielded under pressure so far as to authorise the calling of an Assembly and Parliament, but the concession was robbed of its value by the conditions which accompanied it. The Assembly was to have its hands tied in advance by all sorts of 'preliminations,' as they were called in the language of the day, safeguarding the position of bishops. All subjects were to sign the Confession of Faith of 1567, with a bond appended to it requiring them to defend the king's person and authority, and the laws and liberties of the country under his Majesty's sovereign power.² This Confession with the new bond, which Charles himself apparently signed, was to take the place of the National Covenant. Hamilton spent a distracting fortnight in Edinburgh, and it does not appear that he ever produced these instructions to the Council or made them known to the Covenanters, who would not hear of limiting the freedom of the Assembly. He saw the hopelessness of the position, and after struggling for fifteen days dropped negotiations and craved leave to go back to the king once more. On

¹ *Memoirs* (ed. 1702), pp. 34-5.

² Burnet, *Memoirs of Dukes of Hamilton* (1677), p. 68.

25th August he set out again to Court, having secured from the other side delay till 20th September.

But the time for compromise was rapidly slipping away. The king's refusal to grant a free Assembly had the effect of bringing the other party to the resolution that with or without his authority the Assembly must be called. Had the Church an inherent right in such circumstances 'to keep an Assembly?' that was the question churchmen were being forced to answer. It troubled the cautious Baillie. 'At my first hearing of it I was much amazed: I was utterly averse from thinking of any such proposition.' But further consideration and discussion cleared his mind. Before long all parties were united in the view that an Assembly would be held 'forbid it who would.' Unanimity was growing up on another matter of first importance. According to Burnet,¹ Hamilton found in August that things were in a much worse posture than he had left them. 'They were resolved to abolish episcopacy and to declare it unlawful, and excommunicate if not all yet most of the bishops.' Hamilton himself reported to the king on 11th August, the day after his return to Edinburgh, 'I find no change in this people except it be to worse (if that could be).'

On one question only was there any threatening of disunion in the ranks of the Covenanters. The king's demand was that commissioners to the Assembly from presbyteries must be chosen by ministers only; no lay person was to meddle in the choice. The Tables replied that, according to the order of their Church discipline, ministers and elders ought both to have a voice in choosing

¹ *Memoirs of Dukes of Hamilton* (1677), p. 69.

commissioners from presbyteries. The right of lay elders to sit in presbyteries had undoubtedly been allowed and practised in the days of presbyterian government, but under the episcopal regime the practice had disappeared and was unknown to most of the clergy. Their Table objected to the position taken up by the other Tables representing the laity, 'alleging,' says Baillie, 'that this answer did import the ordinary sitting of laick elders not only in sessions but also in presbyteries, their voting there in the election of ministers to bear commission: this they took to be a novation and of great and dangerous consequences.' He takes credit to himself that he had studied the question and 'was satisfied of the lawfulness and expediency of our old practice and standing law.'¹ But the matter caused a great stir at the Tables. Many of the clergy were jealous of the growing power of the laity, but the laymen made it plain that the right must be conceded as a condition of their continued support of the Church's cause. The king was alive to the possibilities of a split among his opponents over this question. It offered a promising field for his diplomacy, and he was careful to instruct Hamilton how to foment the trouble. His instructions are worth quoting as an example of Charles's characteristic duplicity. 'You must by all means possible you can think of be infusing into the ministers what a wrong it will be unto them, and what an oppression upon the freedom of their judgments, if there must be such a number of Laics to overbear them, both in their elections for the General Assembly and afterwards. Like-

¹ *Letters* (Laing's ed.), i. p. 99.

wise you must infuse into the Lay-Lords and gentlemen with art and industry, how manifestly they will suffer, if they let the presbyters get head upon them.' These cynical tactics met with the success they deserved. Wariston came to the rescue. 'On Saturday morning the minister's Table and the other three Tables differing about elders' choosing of commissioners from presbyteries, Rothes and Loudoun with some barons and burghs went to the ministers, where the Lords moved and enabled me to clear the question from the Second Book of Discipline and Act of Parliament 1592, which did much good and settled us all in unity.'¹ The clergy yielded, for all of them realised in that crisis of the Church's fate that 'of all evils division was incomparably the worst.'

On September 15th Hamilton was back in Dalkeith. His instructions now were distinctly in advance of anything that had hitherto been conceded. The Service Book, Book of Canons, and Court of High Commission were 'discharged,' and all acts of Council, proclamations and other acts or deeds published for establishing them annulled and rescinded. As to the Five Articles of Perth the king dispensed with the practice of them. All persons, civil or ecclesiastical of whatever title or degree, who should presume to exercise unwarranted power were to be liable to trial and censure by Parliament, General Assembly, or other competent judicatory. For the free entry of ministers to their office no other oath was to be administered than what was prescribed by the Parliament of 1580, that is to say, before the innovations of King James. So far admirable ;

¹ *Diary*, pp. 374-5.

but then came the new condition which was to wreck everything. To assure his subjects that he intended no change in the established religion he commanded all to renew the Confession of Faith of 1580 with the general bond signed in 1590—the same Confession which formed the basis of the National Covenant, but without the additions by Henderson dealing with the later innovations of James and Charles. Finally, warrant was granted to indict a free General Assembly to be held at Glasgow on 21st November, and a Parliament at Edinburgh on 15th May 1639. It may appear to us now a weak policy on the part of the king to insist on having some document signed by his people, weak because an obvious imitation of his opponents, but this king's Confession, as it was called, was plainly considered at the moment to be a clever stroke to supersede the National Covenant and to divide the Covenanters. The news of it caused no little anxiety in their ranks. Public proclamation was to be made on Saturday, 22nd September, but they were eager to learn its contents beforehand. The hopes and fears of both sides are reflected in an unusually long and graphic letter from Hamilton to the king on the 24th, and by Wariston in his diary. On Friday, the 21st, the contents of the king's message were communicated to the Covenanting leaders, and they were not a little upset by them. 'Upon Friday morning I was advertised by Lorne of the particulars and was dashed therewith, thinking that they had never lighted on so apparent a means to divide and ruin us. Forenoon I got with Rothes, Loudoun, Alr. Henderson a sight of the whole, and opposed many particulars therein, especially that of the

subscribing the old Confession, and afternoon Mr. Alr. and I drew up some reasons against the same.’¹ They tried to dissuade Hamilton from renewing the Confession, but the more they argued the more bent was he on proceeding, ‘knowing well (he wrote to the king) that to be the only means either to work a division amongst them or to satisfy your Majesty’s subjects.’ Meanwhile the commissioner had to secure the support of his own Council, and he felt by no means sure of his ground. On Friday afternoon it met, and the king’s letter was read. ‘This being done there was a general silence amongst us. I thought not fit long to suffer this, nor yet to let ill-affected ones begin,’² so he called on some safe men first to express their opinions. But the Council would not be hurried; ‘since a confession of faith was to be signed, many desired that there might be one night given them to think of it.’ They sat till ten at night, and rose to meet at seven next morning. It was no time to sleep, says the anxious commissioner; a little after six next morning Rothes and Montrose were on the scene, attended by noblemen and others, and desired to speak with him. Their purpose was delay, ‘to no other end than to divide us of the Council.’ At least four hours’ anxious debate was needed before the Council could agree to go on with the proclamation that day, the 22nd. After other three hours’ debate the councillors consented to sign the confession and bond themselves. Further scrutiny of the king’s language and a night’s reflection had deepened the dissatisfaction of the Covenanters

¹ Wariston’s *Diary*, p. 391.

² *Hamilton Papers*, Camden Society, p. 28.

with this new policy. Saturday morning saw Johnston and Henderson early at work framing a protestation against the proclamation which was expected that day. Professor Masson's conjecture that the protestation was the work of Henderson ¹ turns out to be well founded, to this extent that the reasons which are set forth in weighty and dignified language are from his pen. 'On Saturday morning I rose soon, prayed earnestly for the Lord's direction to me in the Protestation and to Mr. Alxr. in the Reasons, whom again and again I pray the Lord to assist, for it is a weighty business.' ² At four in the afternoon, Johnston at the Cross read the Protestation: the common people joined in the protest crying 'God save the king, but away with bishops, these traitors to God and man, or any other covenant but our own.'

The Protestation is a powerful State paper. Its impressive reasoning so satisfied the people of Scotland that the attempt to obtain general support for the king's Confession as a rival to the National Covenant, carried out though it was by influential commissioners appointed for the purpose all over the country, proved a complete failure. Hamilton had to confess that 'in general the whole Covenanters adhere to it (the National Covenant), except only such as have subscribed this last Confession, your Majesty's Covenant, whose number is not considerable.' The Protestation made it plain that when the king spoke of a free General Assembly he meant something entirely different from what the protesters meant. They meant an Assembly without prelimitation either

¹ *Life of Milton*, ii. p. 33.

² Wariston's *Diary*, p. 392.

as to members, order of proceeding, or matters to be treated, and if any question arose the Assembly itself was the only competent judge. In particular the proclamation assumed the office of bishop as a thing not to be questioned, and declared the king's intention to admit no innovation therein. In the indicting of Assembly and Parliament prelates were summoned, as having place and voice there. The other party, on the contrary, maintained that prelates ought not to be present in the Assembly except to undergo trial and censure. The new Confession meant that their own Covenant would be buried in oblivion, it would in fact prove equivalent to a giving up of their Covenant. 'If we should now enter upon this new subscription we would think ourselves guilty of mocking God and taking His name in vain, for the tears that began to be poured forth at the solemnizing of the Covenant are not yet dried up and wiped away, and the joyful noise which then began to sound hath not yet ceased, and there can be no new necessity from us and upon our part pretended for a ground of urging this new subscription. . . . We ought not to multiply solemn oaths and covenants upon our part and thus to play with oaths, as children do with their toys, without necessity.'

The Protestation incensed Charles beyond measure. 'In my mind this last Protestation deserves more than anything they have yet done, for if raising of sedition be treason this can be judged no less.' He seems to have had some hope that the judges might be got to declare it treasonable, and suggested to Hamilton that 'it were no impossible thing to get them to do me justice in this particular.' Hamilton's reply was in the last

degree discouraging. Nothing can more strikingly show to what a low ebb the royal cause had sunk than the fact that official persons, bound to the king by every tie of loyalty and interest, hesitated or refused to support him. The Privy Council were not to be trusted—‘too great reason have I to fear that all their hearts are not as they ought to be.’ As for having those who adhere to the Protestation declared traitors, ‘there is, alas! no hope of that at this time.’ In regard to the judges he acted on the king’s suggestion, with results deeply mortifying to Charles. He ‘laboured each of them a part of these four days preceding’; they were profuse in expressions of loyal obedience, but most of them ‘craved a delay.’ Hamilton had learned that delays were dangerous, so he ‘resolved not to condescend thereto, but after three hours disputing I pressed and required them, in your Majesty’s name, to subscribe at once.’ The result was that only nine signed; two were sick; four—it is amusing to read—‘craved time to advise,’ a polite fiction for a refusal.

In writing to the king he relieved his feelings about the four.¹ Two acted not out of conscience but, he is sure, ‘knowing their own guiltiness in corruptions,’ which the Covenanters would reveal—a story not incredible in those days:² of the other two, one was ‘an old doting fool,’ and the second ‘a bigot puritanical fellow.’³ At the Council table too he had a humiliating rebuff. He produced a letter from the king declaring it was his

¹ *Hamilton Papers*, Camden Society, pp. 52-3.

² One of the two, Scot of Scotstarvet, is pungently described by Sir James Balfour as ‘a busy man in foul weather, and one whose covetousness far exceeded his honesty’ (*Historical Works*, ii. p. 147).

³ This was Sir John Hope, a son of the Lord Advocate.

pleasure that episcopacy might be limited but not abolished, commanding the councillors to accompany him to Glasgow, and requiring the Lord Advocate to defend episcopacy before the Assembly. Hope, however, 'clearly declared himself against that Government, and hath plainly told me that he neither can nor will argue nor defend their (the bishops') continuance in Council nor Assembly.' Over the country at large men fought shy of the king's Confession; even the councillors entrusted with the work of procuring signatures were said to be slack in their efforts. On the 13th of November, the last day when all signatures were to be reported, it was found that only 28,000 had been induced to sign in all Scotland; of these 12,000 were procured by Huntly in and about Aberdeen. Oddly enough it was the adhesion of the Aberdeen doctors that sealed the fate of the document. They signed subject to an explanation which stated that they in no way abjured or condemned episcopal government or the Perth Articles.¹ That meant that the king's Confession was no security for presbyterian government, and no security against the very innovations which were causing all the trouble. The privy councillors themselves had signed it only after adding the words 'according as it was then [1580] professed within this kingdom,' to make it quite clear that they read it as excluding bishops and all the other innovations. A document which could be signed by different people in opposite senses was plainly worthless, and ordinary men might be excused for suspecting it was a trap.

¹ Burnet, *Memoirs of the Dukes of Hamilton* (1677), p. 86.

6. A REVOLUTIONARY GATHERING : HENDERSON
LEADS THE GLASGOW ASSEMBLY

November --December 1638

No General Assembly had met for twenty long years. It was recognised on all hands that the Assembly to meet at Glasgow in November 1638 would mark a life-and-death struggle. Never had issues so great hung on the decisions of any such gathering, issues not for the Church only but for the nation. For two months and more before it met both sides were occupied with their preparations: no other subject was discussed in Scotland. The hopes of the commissioner and the episcopal party lay in having the king's Confession universally signed. That was their great stroke of policy; they intended to have it ratified in the Assembly, and thereby to suppress and bury the National Covenant without directly condemning it.¹ Both sides also put forth every effort to secure the election to the Assembly of men of their own party. The Tables were early in the field with Directions to presbyteries prepared on 27th August.² The point chiefly urged was the election of lay elders as commissioners, in terms of the Act of Assembly passed at Dundee in 1597. It directed that three ministers at the most be sent from every presbytery, and one elder: one commissioner also was to be appointed by every burgh except Edinburgh, which had power to send two. Every kirk session was enjoined to send an elder to the presbytery on the day of choosing commissioners to the Assembly, so that by consent of the ministers

¹ Baillie's *Letters* (Laing's ed.), i. p. 119.

² Wariston's *Diary*, p. 377.

and elders present there might be chosen both the ministerial commissioners and also 'some well-affected and qualified nobleman or special gentleman being an elder of some particular church session within that presbytery.' The Directions emphasised that 'this is the constitution of the presbyteries appointed by the Church in the books of discipline, Acts of General Assembly practised for many years after the Reformation, and ratified in the Parliament 12th of James VI. and never since altered or rescinded.'¹ Wariston states that in addition to these public Directions for presbyteries others were at the same time drawn up 'private for trusty persons.' These were apparently the two papers produced by Hamilton at the Assembly. One was directed to 'one lay elder of every presbytery, some special confidant,' the other to some minister of every presbytery in whom they put most special trust, and entitled 'Private Instructions, August 27, 1638.'² The first of these private documents stated, 'We hear our adversaries are busy . . . it were meet that as far as may be a new warning should be given to stir up the best affected.' It then urged that the laymen be diligent to stir up their friends among both ministers and laity: that one minister and gentleman in every presbytery meet often together to resolve upon the particular commissioners to be chosen, and use all diligence with the rest of the ministers and gentlemen that such may be chosen: where ministers were slow or disaffected nothing would so much avail for their purpose as that the elders should be present to vote on presbyteries. A

¹ *The Large Declaration*, p. 130.

² *Ibid.*, pp. 281-3.

warning was given not to listen to what the adversary might urge, but 'without respect to any person to do what may most conduce for our good ends.' The other private paper set out by stating 'These private Instructions shall be discovered to none but to brethren well affected to the cause.' The purport of it was that order was to be taken that none be chosen ruling elders but Covenanters and 'those well affected to the cause': ministers chosen are to be Covenanters, and even they are not to be chosen if they hold certain offices 'except they have publicly renounced or declared the unlawfulness of their places.' The last Instruction was to the effect that the ablest men in each presbytery be provided to dispute 'de Episcopatu, de Senioribus, de potestate supremi magistratus in ecclesiasticis,' etc.

The public Directions were admittedly sent out by the Tables; as to the private Directions, Hamilton did not allege that the Tables were responsible for issuing them; they had been sent, he said, by direction of some of the principal rulers of the Tables. Rothes denied all knowledge of them on behalf of the Tables: if they had been sent out they were only the advice of private men to their private friends. The real controversy was as to the right of lay elders to sit as members of Assembly. On this the contention of the Covenanters was undoubtedly sound: it was in accordance with the early practice and legislation of the Reformation Church. That legislation had never been repealed, but the practice had fallen into abeyance under the episcopal regime; they proposed now to restore the earlier and better practice. Their main reason at the time doubtless

was that the lay elders were for the most part on their side, but they are not to be blamed for seeking their support in a critical conflict if the law of the Church entitled them to do so. It would have been better if the elections had taken place without any private wire-pulling on either side, but even in this enlightened age human nature has not risen above the temptation to adopt such tactics either in political or ecclesiastical conflicts. As the currents of opinion in Scotland then ran, an anti-episcopal majority in the Assembly was inevitable. The Assembly was not packed as King James's Assemblies were, by outsiders appointed on the nomination or dictation of the king. It was an Assembly elected by presbyters, and there is no reason to doubt that it reflected fairly the opinions of churchmen on the great questions of the hour.

The predominant party took another step preparatory to the Assembly which is open to comment of a different kind. They meant to put the prelates on their trial; how were they to libel them and summon them before the Assembly? They applied to the commissioner for a warrant, but he refused it. Wariston's legal ingenuity was equal to the occasion. 'On the 5th and 6th of October I was confounded with the very thought and fear of drawing up the bishops' summons which I could not see through and through,'¹ but after much labour he produced the libel which was presented to the presbytery of Edinburgh on 24th October.² It runs in the name of noblemen, barons, ministers, and burgesses not members of Assembly, and it is directed against the whole of the fourteen arch-

¹ *Diary*, p. 393.

² *The Large Declaration*, p. 209.

bishops and bishops. A libel in identical terms was presented to the presbytery of Glasgow and to other presbyteries within whose bounds the bishops respectively had their residences. In each case the presbytery referred the libel to the Assembly to dispose of. The libel was a legal monstrosity. It slumped together an appalling catalogue of ecclesiastical faults, doctrinal errors, moral and criminal offences, and without further specification charged the whole of the prelates of being guilty *respectivè* of every one of them. The matter was made worse by the way in which the presbytery acted. The presbytery of Edinburgh had no shadow of right to entertain and deal with a libel against any bishop outside its own bounds, but it ordered the whole libel to be read in every church within its bounds on the following Sunday, and the other presbyteries did the same. That could never be a legal citation of the accused men, and it was certain to create a further prejudice against them in the public mind. The bishops no doubt declined the jurisdiction of the Assembly—a formal declinator was lodged on their behalf—but that made it only the more necessary that in a legal process involving consequences so grave care should have been taken at every step to ensure correctness of procedure and the fullest justice to the accused.

As the weeks wore on it became evident that the signing of the king's Confession was proving a failure, and that the composition of the Assembly would be overwhelmingly hostile to the king. Feeling grew more embittered, the air was filled with rumours that after all the Assembly would never be allowed to meet: it was believed that the bishops were working behind the scenes for that

object. 'Our hopes were but slender ever to see the downsitting of our passionately desired Assembly with the commissioner's consent, for daily he found himself more and more disappointed in his expectation to obtain these things which it seems he put the king in hope might be gotten.'¹ The Covenanters prepared for the worst: they made their plans to hold the Assembly on the appointed day with or without the commissioner. 'We are resolved to keep the 21st day of November in Glasgow, and to go on by God's grace, as we shall be answerable to God, oppose who will.'² Hamilton's correspondence with Charles shows that rumour was not far wrong. On 24th September he wrote: 'My chief and next endeavour must be to preserve episcopacy, which is a task of greater difficulty than can be imagined, for the most rigid and worst affected persons in the kingdom are either already chosen commissioners or will be, nor can the wit of man find now a remedy for that.'³ He reports, a month later (22nd October), that the opinion of the bishops whom he has seen is 'that it is fitter for your Majesty to prorogue this Assembly than keep it.' This course he thought would simply play into the hands of the enemy, the people would conclude that the king never intended to keep his word 'nor that ever any of those things should be really performed which were offered in your proclamations and declarations.' He advised, therefore, that the Assembly should be allowed to meet, although that course was also attended with danger. 'It will then appear to the world that your Majesty is willing to perform whatsoever

¹ Baillie's *Letters* (Laing's ed.), i. p. 118.

² *Ibid.*, p. 112.

³ *Hamilton Papers*, Camden Society, p. 31.

you have graciously promised, though you will not allow of such an Assembly as (by their disorders) this is likely to prove. It is true this way will be more dangerous for the dissolvers of it, but if your Majesty shall be pleased to take this course I shall not fear to do it, though the Council refuse to concur with me in it (as I am sure many of them will), and command them to desist in your Majesty's name, under the pain of treason, from proceeding further therein, and so leave them, if they will not obey, tainted by your Majesty's commissioner with the name of traitors. Obedience is not to be expected from them, for I do believe they will not desist from proceeding at my command.'¹ As another reason for taking this course he adds that he is most certainly persuaded that if the king prorogued the Assembly 'they will none the less go on with the same.'

If the Assembly could not be prevented from meeting, Hamilton determined to do what he could to hamper his opponents by forcing as many of them as possible to remain at home. For this purpose two orders were issued. The first was a proclamation by the Privy Council, forbidding all persons to go to Glasgow during the meeting of the Assembly who were not members, except such as reported their presence to the commissioner, and ordering that those who were officially present were to come accompanied only by their household servants, without unlawful weapons, and were to behave in a peaceable manner.² The ostensible reason was that it was feared some restless persons 'out of their idle humours and needless curiosity might

¹ *Hamilton Papers*, Camden Society, p. 48.

² *Register of Privy Council* (2nd series), vii. p. 82.

disturb the peaceable proceedings.' The Covenanters saw in the order simply an attempt to cripple them, and they paid no heed to it. They protested that 'all might come who had entry as party, witness, voters, assessors, complainer, or whatever way, and that every man might come with such a retinue and equipage as the Lords of Council should give example.'¹ Wariston's note reminds us that weapons might have other uses than the commissioner hinted at: 'Upon Friday we got a proclamation discharging numbers, troops, and weapons, albeit there were great rumours of John du Gar's company by the way, and we protested at the Cross.'² John Dugar (an Irish nickname for a highlander, John Macgregor) was a notorious robber, much feared especially in the north-eastern counties; he gave himself out to be a king's man, and so likely to seize Covenanters and their goods at his pleasure. The other order to which the king's party stooped was nothing but a display of feeble spite. It was to the effect that all commissioners to the Assembly who could be 'put to the horn' for non-payment of taxes or debts would be prevented from taking their seats. This was so high-handed a proceeding that it had to be dropped.

At last on Wednesday, 21st November, the passionately desired Assembly met in the High Church, the old Cathedral of Glasgow. The population of Glasgow in those days numbered only about 12,000, and so great was the influx of members and others attracted by the notable occasion that it was with difficulty that accommodation could be found for all. 'Monday all day I went from house to house seeking lodging to Mr. Alr. Henderson,

¹ Baillie's *Letters* (Laing's ed.), i, p. 120.

² *Diary*, p. 399.

Mr. David Calderwood, and myself, which I got after a day's travel,' says Wariston. The thrifty folks of Glasgow were not unwilling to improve the occasion in a pecuniary sense. 'The town did expect and provide for huge multitudes of people, and put on their houses and beds excessive prices; but the diligence of the magistrates and the vacancy of many rooms did quickly moderate that excess.'¹ The members of Assembly numbered about 260, but they were accompanied by assessors, two, three, or four; then there were the members of Privy Council and crowds of others—ministers, nobles, barons, and common people, not to speak of retainers and servants. During the previous week members had gathered from every quarter, and numerous were the private consultations held for exchanging of views, ripening and preparing of matters to come before the Assembly. When the great day arrived so dense and eager were the crowds that the magistrates had the utmost difficulty, with the aid of their town guard, in forcing a way for members to their places. The commissioner sat in a chair of state; at his feet, in front and on both sides, the privy councillors, thirty in number. Before the commissioner's chair a little table was set for the Moderator, and another for the clerk; then a long table in the centre for noblemen and barons, elders with their assessors. Rising from this low table were five or six tiers of seats all round for the other members of Assembly with their assessors. The lay members were ninety-six in all: the flower of the Scottish nobility were there, 'few barons in Scotland of note but were either members or assessors.' A high room at the

¹ Baillie's *Letters* (Laing's ed.), i. p. 121.

end was prepared for noblemen's sons, and there were 'huge numbers of people, ladies and some gentlewomen in the vaults above.'

The commissioner surveyed this strange scene with a troubled and bitter spirit. 'I came to this town,' he wrote to the king, 'on Saturday the 17th, where there are such a crew assembled together and that in such equipage as I dare boldly affirm never met since Christianity was professed, to treat in ecclesiastic affairs. Yesterday, the 21st, was the day appointed for the downsitting of the Assembly. Accordingly we met, and truly, Sir, my soul was never sadder than to see such a sight, not one gown amongst a whole company, many swords, but more daggers (most of them having left the guns and pistols in their lodgings). . . . The number of the pretended members is about 260, each one of this hath two, some three, some four assessors who pretend not to have voice, but only are come to argue and assist the commissioners, but the true reason is to make up a great and confused multitude. . . . What can be expected but a total disobedience to authority, if not a present rebellion?' He felt this was no mere ecclesiastic assembly, it was something more ominous—a nation gathered in council, with revolution in its heart.

In his bitterness he flung out an unworthy taunt against his countrymen. He described the Assembly as 'a most ignorant multitude, for some commissioners there are who can neither read nor write, the most part being totally void of learning.' This was a favourite gibe of the episcopal party against lay elders, and displayed as much ignorance as did the other charge that the introduction of elders into the General Assembly was a new thing.

A careful analysis of the membership proves that the gibe was wholly untrue. 'There were in it 140 ministers, 2 professors not being ministers, and 98 ruling elders from presbyteries and burghs. Of these ruling elders, 17 were noblemen of high rank, 9 were knights, 25 were landed proprietors or lesser barons of such station as entitled them to sit in Parliament; and 47 were burgesses, generally holding the principal offices of authority in their respective towns—men who were capable of representing their communities in the Parliament. There was not a peasant, as has been insinuated, or even a farmer or yeoman in the number. From what I know of the personal history of many of these men and from documents which I have seen and now possess I could undertake to prove that not one was illiterate.'¹

After a week in the Assembly, Hamilton reported on the 27th: 'This wicked people's hearts are so seared that they are altogether void of reason. Five days we have spent wherein I daresay there has never been since the beginning of the world greater partiality shown. Divers protestations I have made which will be thus far useful as suffi-

¹ Rev. Dr. Lee; see Peterkin's *Records of the Kirk*, p. 111. It is not necessary to-day to vindicate the abilities and learning of the Covenanting party: these are now generally admitted. But prejudice died hard. Writing as late as 1817, Bower in his *History of the University of Edinburgh* (i. p. 186) thought it necessary to say: 'It is a gross mistake, which has been studiously propagated, that talents and learning were confined to those who opposed the Covenant. The truth is the clergy who coalesced with the measures approved of by the bishops were far inferior in point of literary acquirements to many of the members of this Assembly (1638). Ramsay, Rollock, Colvine, Henderson and Baillie, besides many others, were an honour to any church, and were the first to declare their firm adherence to those liberal principles which constitute the best vindication of the revolution of 1688, and to which we are indebted for our invaluable civil privileges.'

ciently by them shall be demonstrated to the world the unjust proceedings of this Assembly. This day I intend to make your Majesty's pleasure known, it not being possible for me longer to keep them in any temper, having gained both Saturday and yesterday merely by shifts.' Then he proceeds to tell the king what is about to happen: 'Resolved they are not to obey any command that shall be laid upon them for the discharging of this Assembly: in it they will proceed to the censuring of my lords the clergy, though all absent, and notwithstanding of their declinature; Episcopacy they will declare contrary to the Word of God, and never to have been lawfully established in this kingdom, the Service Book and Book of Canons they will condemn as popish and thousand mad-nesses more.'

The first business of the Assembly was to appoint its Moderator. It insisted that this should be done before any other business, and after a hot debate Hamilton yielded. The choice of a Moderator was a matter of the highest importance. There never was any doubt who should fill that post; in the minds of all there was only one possible man. 'I took such an impression,' says Wariston, 'of God's will in pointing out that man (meaning Henderson) as the man whose hand He had blessed hitherto and would bless chiefly in that main work that I went through the noblemen and barons and made every one sensible of that impression.'¹ 'He was incomparably the ablest man of us all for all things,' says Baillie; the only difficulty was whether the Moderator might be a disputer, for much disputing was expected and

¹ *Diary*, p. 400.

they could not afford to close Henderson's mouth. But there was no other who had the parts needed, and Henderson was elected. With equal unanimity Wariston was chosen clerk.

On the 29th the commissioner rose and quitted the Assembly, declaring that nothing done there should be of any force to bind any subject, and discharging the court from proceeding further on pain of treason. The point at which the rupture occurred was when the Moderator put the question whether the Assembly found themselves competent judges of the pretended bishops notwithstanding their declinator? Hamilton then asked the clerk to read the king's message promising the various reforms, and went on to say he had full commission for the rectifying of all the abuse of the bishop's office 'so far as that sort of government may still remain in the kirk as government not contrary to the word of God.' But he could give no consent to anything that was there done, alleging as his reason that the two papers of private Instructions, which he there and then produced, showed that only Covenanters had been chosen members, that lay elders had been chosen, and that ministers had been chosen by the votes of lay elders 'contrary to the practice of all former times and positive laws of this kingdom, therefore I can acknowledge nothing to be here done by the vote of such men.' The critical moment had come and Henderson rose to the great occasion. He answered in language which drew from the commissioner himself the words, 'Sir, ye have spoken as a good Christian and dutiful subject.' 'It hath been,' he said, 'the glory of the Reformed Churches, and we account it our glory after a special manner to give

unto kings and Christian magistrates what belongs unto their places ; next to piety towards God we are obliged unto loyalty and obedience to our king. There is nothing due unto kings and princes in matter ecclesiastical which I trust by this Assembly shall be denied unto our king.' He then enumerated the powers of Christian kings in relation to the Church, and concluded thus : ' The Christian magistrate hath power to convoke Assemblies when they find that the urgent affairs of the kirk do call for them ; and in Assemblies when they are convened his power is great and his power ought to be heard . . . and we heartily acknowledge that your Grace, as his Majesty's high commissioner and representing his Majesty's royal person, has a chief place in this reverend and honourable Assembly. What is Caesar's and what is ours let it be given to Caesar, but let the God by whom kings reign have His own place and prerogative.' As to Hamilton's objections against the mode of election and against lay elders, Henderson replied that ' the Assembly was indicted by his Majesty and consisted of such members regularly authorised as by the acts and practice in former times had right to represent the Church.' He held it therefore to be a free Assembly, and he trusted that everything in it would be conducted according to the law of God and the light of reason. When the commissioner had retired he continued in these words : ' All that are here know the reasons of the meeting of this Assembly, and albeit we have acknowledged the power of Christian kings for convening of Assemblies and their power in Assemblies, yet that may not derogate from Christ's right ; for He has given divine warrants to convoke

Assemblies whether magistrates consent or not ; therefore seeing we perceive men to be so zealous of their masters' commands, have we not also good reason to be zealous toward our Lord and to maintain the liberties and privileges of His kingdom ? Ye all know that the work in hand has had many difficulties, and God has borne us through them all to this day ; therefore it becometh us not to be discouraged by anything that has intervened, but rather to double our courage when we seem to be deprived of human authority.'

It has been said, and it is true in a sense, that when the final break came the two parties had approached very near each other. Before the Assembly met, Charles had surrendered all the original objects of contention. Liturgy and Canons, Articles of Perth, and irresponsible episcopacy had been given up. Between moderate episcopacy responsible to Assemblies and direct government by the Assemblies themselves the difference may be thought not to have been very great.¹ But both sides felt that beneath and behind these there were greater matters on which they were far apart. Charles believed that monarchy itself as he understood it was challenged. 'I know well,' said Hamilton, expressing the view they both held, 'it is chiefly monarchy which is intended by them to be destroyed.' And he described his task as being 'to defend royal authority and monarchical government already established, under which I do conceive episcopacy to be comprehended.' Here is James's absurd doctrine, 'No bishop no king,' already costing his son dear. Hamilton's language to the Assembly was : 'I stand to the

¹ Gardiner, *History of England*, viii. p. 375.

king's prerogative as supreme judge over all causes civil and ecclesiastical.' Confronting this claim Henderson claimed for the Church the right to have a mind of her own and freedom to follow her own will in the ordering of her own affairs. That this was the crux in this very matter of the bishops is clear: the Church's real complaint was not so much that Charles had appointed bishops, but that he had chosen as bishops men who had served and who would serve as instruments in imposing *his* will and *his* religious practices upon an unwilling Church. And so Henderson refused to dissolve the Assembly at the royal command; he disregarded the charge of treason, and the Assembly proceeded with its work in virtue of its own inherent right.

That was one of the great moments of history. 'The moment at which Henderson refused to dissolve the Assembly at the demand of the king's Commissary,' says Leopold von Ranke, 'however widely the circumstances may differ in other respects, may well be compared with the first steps by which a century and a half later the newly-created French National Assembly for the first time withstood the commands of its king.'¹ And it was a supremely testing moment for Henderson. The eyes of the great assemblage were fixed upon him as he confronted the representative of royal power, knowing well what his refusal might cost. There he stood, a man not imposing in outward appearance, his stature under middle height, his countenance pensive and careworn; dignified, courteous, courageous. And there he stands in history, with the eyes upon him of all men who love liberty, honouring him for the blow

¹ *History of England*, ii. p. 116.

he struck in its cause, and recognising that in this man there is something of heroic strain.

Henderson's act spelt revolution. The revolution took the form it did because religion was the central force in the national life, and because the attack was made on religion. To preserve her Reformation faith and worship, Scotland had to use the rough methods of revolution. The Assembly sat till 20th December. It passed Acts declaring the six Assemblies from 1606 till 1618 unlawful; condemning the Service Book, Book of Canons, and Court of High Commission; declaring episcopacy to be abjured and removed out of the kirk; annulling the Five Articles of Perth; restoring Presbyterian government and dealing with a variety of matters under the Presbyterian constitution thus restored. These were undoubtedly the acts of a revolutionary Assembly. Episcopacy had been set up in James's time by Acts of Parliament ratifying Acts of Assembly, the Perth Articles also had been ratified by Parliament. This Assembly therefore claimed to overturn the law of the land as if it were itself a sovereign parliament. Its justification—its sole but sufficient justification—was that if Scotland were to preserve her liberties in Church or in State, invaded by two arbitrary kings, there was no other way open but the way of revolution: every other had been tried, and failed. But a revolutionary spirit once awakened generally carries men further than they foresee or at first intend. Not only was the ecclesiastical fabric reared by the absolutism of James and Charles swept away, the movement passed on into the political sphere and produced highly important changes there. It did not spend itself even in

Scotland. It kindled into flame the smouldering fires of discontent in England, and the revolution in England destroyed absolute monarchy.

A revolution, however, though it may be amply justified, is not the time when individual rights are tenderly considered or nicely adjusted. There is some reason to think that the bishops themselves received less than justice from the Assembly. Eight prelates were deposed and excommunicated, the other six were deposed. All that might have been perfectly fair had it proceeded on proper grounds. But the sentences pronounced against them show that they were found guilty among other things 'specially for receiving consecration to the office of episcopacy.' Episcopacy, however, had been established by the law of the land since 1612, and not only the bishops but many of the ministers in that Assembly had accepted office and been ordained in the Church so constituted. To sentence her ministers for contumacy, erroneous doctrine, or immoral life was entirely within the competence of the Assembly; but to punish and degrade men for accepting the office of bishop in such circumstances was beyond its competence. Even in regard to the charges of immorality it is impossible to feel sure that any fair and judicial inquiry was made. The evidence available does not enable us to speak with certainty. Henderson's statement from the chair undoubtedly was, 'Neither have they judged according to rumours or reports nor yet by their private knowledge, but have proceeded according to things that have been clearly proved.' And Hamilton's admissions in his well-known letter to the king go a long way to show that the offences charged against the prelates

were notorious. On the other hand, Baillie's narrative strongly suggests the opposite. He admits some charges were 'not sufficiently proven,' others were only 'very probable.' Yet deposition was the fate of every one, in many cases followed by the terrible sentence of excommunication. It was on 13th December that the proceedings of the Assembly reached their most solemn moment. The dread sentences of deposition and excommunication were pronounced, in presence of a hushed multitude, by Henderson after a sermon still known as 'The Bishops' Doom.' The act cannot be defended as a piece of ecclesiastical discipline, at least on all the grounds on which it professed to be based, but it justified itself to the people of Scotland as a well-deserved punishment on a body of men who had proved traitors to the highest interests of the national Church. Along with the bishops many clerical offenders of humbler rank were also dealt with. The liberty of the press received short shrift from the Assembly. As if it were a parliament charged with the defence of the realm, it inhibited 'all printers within this kingdom' from printing any of the Acts or proceedings of the Assembly, any confession of faith, any protestations, 'or any other treatise whatsoever which may concern the kirk of Scotland, without warrant from the Clerk of the Assembly.' 'Whereunto also,' the Act modestly concludes, 'we are confident the honourable judges of this land will contribute their civil authority'!

There is one singular omission in the doings of this Assembly. It cast out episcopacy from the Church of Scotland, and it was allowed to do that without a single word from any champion of the

system of church government which had been established for nearly a generation. The case for episcopacy was allowed to go by default. The fortress fell without one blow struck in its defence. That was not the intention of the king or his party. The commissioner ordered the Lord Advocate to attend him at Glasgow to defend episcopacy in the Assembly, and high words passed between them when Hope refused. Sir Lewis Stewart went in Hope's place. Hamilton told the king his chief purpose would be to endeavour to preserve episcopacy. There were champions who were or who, if they chose, might be members of Assembly and to whom the commissioner looked to fight his battle. The Aberdeen doctors were among the most learned men in the Church, and they had recently, as they believed, vanquished Henderson in argument. Hamilton, we are told,¹ 'was very earnest with them to have come to Glasgow to the Assembly, finding them the only persons then in Scotland fit for undertaking the defence of episcopacy': he was to have sent one of his coaches to the north for them. The other side also expected serious debates and prepared for them. We have seen that they requested their friends in the presbyteries to send their ablest men to argue the question. Their Protestation of 18th December expressly states this was to meet 'the doctors of Aberdeen who were expected there.' It is amazing to read that the Aberdeen doctors were extremely averse to going: the road, it seems, always bad for a coach, was not passable in winter! It is little to the point that they may have believed the cause was already lost, and they would find themselves a

¹ Burnet, *Memoirs of the Dukes of Hamilton* (1677), p. 84.

hopeless minority in the Assembly. All the more need for courageous men not afraid to argue their case before their countrymen. That case had never yet been argued. Episcopacy had been imposed on Scotland by force, manœuvre and bribe, and that policy had failed : if an attempt were now made to present the case for the moderate episcopacy Charles was offering, who could tell what the result might even yet be ? The Assembly expected them ; ‘ if he (the commissioner) had brought his divines to dispute,’ says Baillie,² ‘ and upholden their courage by his countenance, readily the most part might have been moved to use a greater temper than ever thereafter can be hoped for ; or if in this his hopes had miscarried he might have protested or risen when that occasion offered.’ In other words, the last hope—if there was still hope—of a compromise was extinguished by their failure to appear and support their cause. To shirk the Assembly and keep silent when events so tremendous were afoot says little for the zeal of the episcopal party for king or church, and contrasts poorly with the fearless courage and unremitting labours of the leaders on the other side. Since the beginning of this business Charles’s cause had not found either statesmen or churchmen who could handle it with the skill or serve it with the devotion which the hour demanded.

The dissolution of the Assembly by Hamilton left its ranks unthinned. Only three elders and two ministers withdrew ; on the other hand it received notable accessions. Argyll and seven other privy councillors refused to follow Hamilton, and threw in their lot with the Church. On

¹ Baillie’s *Letters* (Laing’s ed.), i. p. 143.

28th November, the day before the commissioner quitted the Assembly, a letter was sent to the king in the name of the Council, approving of the manner in which he had discharged his duties at the Assembly. The letter was not so spontaneous a document as it appears to be. Hamilton was anxious to stand well with the king, and himself suggested it. 'With some art I procured this letter from them,' he admits. In anticipation of what was soon to happen, he told the Council a Proclamation would be made next day dissolving the Assembly. He did not produce and read it. 'I durst not present it to them for fear of a refusal,' he told the king: next morning he got a number of them to sign it, and it was read at the Cross. On 18th December the Council issued from Holyrood another Proclamation declaring null and void the whole Acts of the Assembly. But the most valuable piece of evidence we have of those days is a private and extraordinarily candid letter from Hamilton to Charles written on 27th November. It is an outburst of strong feeling: he is in the depths of depression. His mission in Scotland has proved a failure—'all hath been to no purpose, I have missed my end.' He had been set an impossible task with authority so limited and opponents so unbending. But he was no great diplomatist, and the sequel was soon to show he was no greater a soldier. Meantime in the first bitterness of his defeat he blames everybody for the debacle. First he lashes the bishops: 'The truth is this action of theirs is not justifiable by the laws of this kingdom: their pride was great but their folly greater; for if they had gone right about this work nothing was more easy than to have effected

what was aimed at.' But worse follows: 'Some of them have not been of the best lives,' and he names four; 'too many of them inclined to simony'; as for Ross, 'the most hated of all and generally by all there are few personal faults laid to his charge more than ambition.' Then he turns to the Privy Council, praising and blaming in turn. Argyll's career he shrewdly enough forecasts; 'Truly, Sir, he takes it upon him: he must be well looked to, for it fears me he will prove the dangerousest man in this State.' The Covenanters he disposes of at a stroke. 'I shall say only this in general, they may all be placed in one roll as they now stand . . . none more vainly foolish than Montrose.'

Having failed in diplomacy, Hamilton characteristically rushes off to war—that is the way, he cries, to crush these insolent people. It is not only the real way but it will be easy; 'I am confident your Majesty will not find it a work of long time nor of great difficulty.' Alas! Hamilton had not long tried his hand at fighting these insolent people when he found that also a tough business, and was crying out that diplomacy was the true way.

Up till this time Henderson was still minister at Leuchars. His name appears as such in the list of members of the Glasgow Assembly. But he had now become too great a power in Church and in State to be permitted any longer to live in that corner of the land. St. Andrews and Edinburgh both applied to the Assembly to have him appointed one of their ministers. He was no ambitious churchman, he suffered from a 'bashfulness which he found in himself,' and pleaded to be allowed

to remain at Leuchars. The Assembly decided to remove him to the High Church of Edinburgh.¹ He bowed to the decision, but craved that if ill-health should come, as he appears to have expected, 'he might have liberty to return to some private place.'² The sequel is told in the words of the Edinburgh Town Council Records of 2nd January 1639: 'Whereas the Council having divers times before aimed to have Mr. Alexr. Henryson presently minister at Leuchars in Fife transplanted to the cure of a church within this burgh, and the commissioners of last General Assembly held at Glasgow in their 24th session the 18th of December last, having not only thought it necessary to transplant him to the church of Edinburgh but also did by virtue of an act of the date foresaid transplant the said Mr. Alexr. from the said church of Leuchars to the said church of Edinburgh. . . . In consideration of all which the said provost, baillies and council, finding both the places of the church of this burgh to be vacant by deprivation of Mr. James Hanna and Mr. Alexander Thomson, as an

¹ The Minutes of the Synod of Fife (*Selections*, Abbotsford Club, p. 210) bear that he was 'tr. to Edinburgh, Nov. 1638.' This evidently refers to the action of the Glasgow Assembly, but the decision was not taken till 18th December.

² It is only too evident from repeated references to the subject that for many years Henderson suffered from poor health. This was not improbably a result of his long residence at Leuchars. The name *Leuchars* is ominous: it is said to be a Celtic word meaning rushes or a wet flat abounding with rushes. Owing to the windings of the river Eden, many acres were in Henderson's time covered with coarse grass and rushes, and other parts with stagnant water which even in summer never dried up. Families living in the neighbourhood were subject in spring and autumn to intermitting fevers. Many years later a long drain was cut which carried off the water from the flat ground, with the result that the old diseases with their said train of ailments completely disappeared. See old *Statistical Account of Scotland*, vol. xviii. p. 585.

act of their deprivation produced this day and dated the first of this instant at more length bears, And understanding of the literature, ability and qualifications of the said Mr. Alexander, all in one voice Elected, nominated and presented, And by these presents elect, nominate and present the said Mr. Alexr. to one of the said vacant places of the said great church and to the stipend appointed thereto.' ¹

From this time onwards Henderson was minister of the great church of St. Giles.

7. DEFENCE IN ARMS : A PACIFICATION WITHOUT PEACE : THE KING AND HENDERSON MEET

March—June 1639

War was now expected by both sides ; to that tragical pass had things come. Scarcely eighteen months before some 'serving maids' had raised an outcry in a church, and now king and subjects were standing on the brink of civil war. Charles thought his task would be an easy one. Wentworth in July and Hamilton in November had both told him so. They both underestimated the Scottish power of resistance, but their advice chimed with the king's feelings and was greedily accepted. He persisted in hugging the illusion that he had only to crush a group of ill-conditioned mutinous nobles and ministers, and that behind them he would find the real Scottish people profoundly attached to his person and his policy. Laud, as a pattern of moderation, was shocked at the violence of

¹ I am indebted for access to the Town Records to the courtesy of Sir Thomas Hunter, lately Town Clerk of Edinburgh, and to Mr. Jarvis of the Town Clerk's department for willing help in making searches.

Henderson and the Assembly. 'I find in the dean's (Balcanqual's) letter,' he wrote to Hamilton, 'that Mr. Alexr. Henderson, who went all this while for a quiet and well-spirited man, hath showed himself a most violent and most passionate man and a moderator without moderation. Truly, my Lord, never did I see any man of that humour yet, but he was deep dyed in some violence or other, and it would have been a wonder to me if Henderson had held free.' Both he and Wentworth thought the example of these insolent Scots would be bad for England, and nothing was to be thought of but crushing them without more ado. 'Should these rude spirits,' wrote Wentworth to Laud, 'carry it thus from the king's humour to their own churlish wills it would have a most fearful operation, I fear, as well upon England as themselves . . . for if he master not them, and this affair tending so much and visibly to the tranquillity and peace of his kingdoms, to the honour of Almighty God, I shall be to seek for any probable judgment what is next like to befall us.'¹ Laud of course agreed: what Scotland needed was a taste of the policy of Thorough. 'I wholly agree with you that since it is come to this height, if his Majesty do not master them and bring them under obedience, the first error will be so far seconded with a greater as that the consequences may be God knows what, such I am sure as I hold not fit to prognosticate.'²

Accordingly when the Church's Supplication was presented to the king in January, craving his ratification of the Acts of Assembly, the king's answer was a letter to his English nobles on the 26th of that month, requiring them to attend his

¹ *Strafford Letters*, ii. p. 250.

² *Ibid.*, p. 266.

royal standard at York on 1st April. He informed them that there were a 'few ill and traitorously affected persons' in Scotland whose aim was 'to shake off all monarchical government'; they had raised considerable forces, and he was resolved to make 'resistance against any invasion that might happen.'

He directed that an army of horse and foot be forthwith levied, and requested the nobles to certify within fifteen days what assistance he might expect from them. Three days later (29th January) the Privy Council at Edinburgh received a letter in which the king significantly stated, 'We intend to repair in person to York about Easter next that we may be the more near to that our kingdom for accommodating our affairs there in a fair manner.' Whatever advice Charles received elsewhere, his Scottish people, official and unofficial, spoke with one voice imploring him not to plunge into civil war. On 1st March the Council forwarded to him a petition from many noblemen, barons and others offering to justify the proceedings of the insurgent party, and at the same time they entreated him to resolve upon some such course as without force of arms would lead to a settlement.¹ The king replied in language of ominous vagueness, 'We expect that you, as you are honoured by us to be first in place, will strive to go before others by your good example in advancing of our service.' Preparations for war went on upon both sides of the border, but the Council made one more very earnest attempt to intervene. War had indeed already begun when on 11th April the Privy Council and the judges

¹ *Register of Privy Council* (2nd series), vii. p. 115.

of the Court of Session joined in this resolution : Having taken to their consideration the deplorable and calamitous estate of this kirk and kingdom, and understanding that one of the greatest causes thereof arises from His Majesty's offence taken against the later proceedings within the same, and they being fully persuaded that His Majesty will be pleased to hear of them the simple truth . . . therefore they think it necessary and incumbent to them . . . for preventing the imminent dangers hanging over this kingdom that they all unanimously should present themselves to his sacred Majesty and falling down at his royal feet deprecate His Majesty's wrath against his subjects.

In the previous month of March the judges themselves wrote a letter which ought by its grave words to have brought reflection to the mind even of so foolish a man as Charles. 'They said they were overjoyed in expectation that the doubts in religious worship and kirk government should have been clearly settled, and 'although the greater part of your people be well pleased with the constitutions therein concluded, yet your Majesty's displeasure against that Assembly and the proceedings thereof, and your expressed dislike of those who adhere to the same, and the fearful consequences therefrom likely to ensue have turned all the hopes of comfort which we expected into sorrows and tears. . . . Your Majesty may be pleased to pardon us to aver that in this they are but bad counsellors and no better patriots who will advise your Majesty to add oil and fuel to the fire. Violence and arms are placed among desperate remedies proving oftener worse than the disease. We must on the knees of our hearts supplicate your

sacred Majesty to be pleased to forbear all purpose of war.'

The Covenanters themselves had lost no time after the king's summons to his nobles on 26th January in carrying their appeal from the king to the people of England. They published on 4th February 'An Information to all good Christians within the kingdom of England from the noblemen, barons, burghs, ministers and commons of the kingdom of Scotland, for vindication of their intentions and actions from the unjust calumnies of their enemies.' This was a skilful document, and was widely circulated in England. It declared that they had never had the least intention to cast off their dutiful obedience to the king's lawful authority, nor had they any design to invade England. The innovations in religion that had caused all the trouble were the work of churchmen of the greatest power in England, who had tried to bring about conformity with Rome, first in the Church of England and then in that of Scotland. Professed papists had been intrusted with the chief posts in the armies now preparing to invade Scotland. (The Earl of Arundel, who had been appointed to the chief command, was the person here meant.) They regretted this attempt to raise up the old national bloodshed and quarrels which had happily passed away—all about a matter of Church government. Their Church at the Reformation had abjured episcopacy, but that 'cannot reasonably offend any other State or Church who may be ruled by their own laws and warrant.' Finally they suggested that if the English Parliament were convened and the matter faithfully represented to them, they would without doubt approve of all

their proceedings. It was a bold thing to use language which seemed to interfere in the internal affairs of another nation, but the Scots knew their ground. The English people, who had for years been restive under Laud's tyranny and had not seen a Parliament of their own since 1629, did not resent this appeal, on the contrary it made a deep and favourable impression on them. Charles was annoyed beyond measure. On 27th February he issued a reply to the 'seditious pamphlet': a proclamation in which he foolishly railed at the Covenanters as being 'many of them men of broken fortunes.' The question now, he said, was not whether episcopacy should continue but 'whether he were king or not.' This in turn was answered by a Remonstrance sent out on 22nd March, written by Henderson, the statesman of the party and the author in whole or in part of all their public documents. His pen was also invoked at this time to argue the question of the lawfulness of taking up arms against the king. Charles was never weary of denouncing the Covenanters as deep-dyed traitors and rebels: his proclamation was speedily followed by an elaborate document called The Large Declaration, intended to show his own clemency and their hypocrisy and depravity. The writer of it was a Scotsman, Dr. Balcanquhal, who acted as Hamilton's chaplain at Glasgow and was shortly afterwards appointed Dean of Durham. He tells the story of the recent events 'with an obliquity of statement which passes the licence even of the theological polemic.'¹ Yet it is the fact that those so-called traitors were at that very time, many of them, in the gravest doubt whether it was lawful

¹ Hume Brown, *History of Scotland*, ii. p. 311.

for subjects in any circumstances to take up arms against their king. 'No man,' says Baillie, 'doubted more of this than myself; yea, at my subscribing of the Covenant I did not dissemble my contrary resolution.'¹ Charles's conduct compelled them to re-examine the question. 'It was laid on Mr. Henderson, our best penman, to draw up somewhat for the common view.' The result was a paper entitled 'Instructions for Defensive Arms.' Henderson's creed was a more robust and enlightened one than Baillie's, and he did not shrink from applying it in the crisis that had now arisen. His arguments show that he had sat at the feet of a much greater teacher than Baillie's, the celebrated George Buchanan. Buchanan's tract *De Jure Regni* was familiar to educated men in Scotland and all over Europe, and had exercised great influence in the development of political thought. But Henderson's views were in agreement not only with those of Buchanan and Knox, but with other Protestant teachers like Calvin, and with many distinguished schoolmen and doctors of the old Church through the Middle Ages. He emphasises that he is speaking not of 'subjects rising or standing out against law and reason that they may be freed from the yoke of their obedience, but of a people holding fast their allegiance to their sovereign and in all humility supplicating for religion and justice.' 'A difference would be put,' he says (thinking perhaps of Calvin who draws some such distinction), 'between some private persons taking arms of resistance, and councillors, barons, nobles, peers of the land, Parliament-men, and the whole body of the kingdom (except some few courtiers,

¹ *Letters* (Laing's ed.), i. p. 189.

statesmen, papists and popishly-affected and their adherents), standing to their own defence.' In such a case as the present is a defensive war lawful? 'Ought the people to defend themselves against extreme violence and oppression bringing utter ruin and desolation on the kirk and kingdom, upon themselves and their posterity?' His answer is that it is lawful, and that for various reasons. 'First, from the unreasonableness and absurdity of such court parasites as for their own base ends maintain the absolute sovereignty and unlimited authority of princes, to the great hurt both of princes and people, by loosing all the bonds of civil society, that princes against the strongest bonds of oaths and laws may do what they please to the ruin of religion, the kirk, the kingdom, the lives and liberties of some or of all the subjects, and that the people shall do nothing but either flee, which is impossible, or suffer themselves to be massacred and cut to pieces.' 'Second, from the line and order of subordination wherein both magistrates and people are placed. The magistrate is placed under God, the subjects under God and under the magistrate. When the magistrate commands contrary to God and goeth out of his order and line, especially so far as to invade by arms, if they obey not, the subjects keeping their own line and ordering and defending themselves is no disobedience to the magistrate but obedience to God.' 'Tyranny and unjust violence is not the ordinance of God. He that resists it resisteth not the ordinance of God.' Henderson's third reason bears distinct evidence of Buchanan's teaching. His doctrine was that kings exist by the will and for the good of the people, they may be brought to

account for misgovernment, if necessary force should be applied, nay, under certain circumstances tyrannicide is justifiable. Henderson writes thus : ' The Lord hath ordained magistrates to be his ministers for the good of his people and their defence, whence have proceeded these common principles of policy : Princes principally are for the people and their defence, and not the people principally for them. The safety and good of the people is the supreme law. The people make the magistrate, but the magistrate maketh not the people. The people may be without the magistrate, but the magistrate cannot be without the people. The body of the magistrate is mortal, but the people as a society is immortal. Therefore it were a direct overturning of all the foundations of policy and government to prefer subjection to the prince to the preservation of the commonwealth ; or to expose the public, wherein every man's person, family and private estate are contained, to be a prey to the fury of the prince, rather than by all our power to defend and preserve the commonwealth.' In the law of nature Henderson finds another reason. ' If a private man by the law of nature may be found entitled to defend himself against the prince or judge as a private man invading him by violence, and may repel violence by violence ; if children may resist the violent invasion of their parents against themselves, their mother, or the family, notwithstanding the strait obligation between parents and children ; if servants may hold the hands of their masters seeking to kill them in a rage : then much more may the whole body defend themselves against all invasions whatsoever.' That

is in effect and almost in the same language what Knox told Queen Mary in their celebrated interview.

Again, Henderson founds on 'the mutual contract between the king and the people, as may be seen in the Acts of Parliament and order of the coronation.'¹ Here again he follows Buchanan, who points to the coronation oath of Scottish kings as clearly proving the limited nature of their authority. In support of his own teaching, Henderson refers to 'the testimonies not only of popish writers, but of divines of the reformed Churches even such as be strong pleaders for monarchy.' John Major had taught the same doctrine. He had learned it in France, probably from such men as Gerson, Chancellor of the University of Paris, who taught that if kings conducted themselves unjustly, above all, if they persisted in their misgovernment, that was exactly a case for applying the law of justice and repelling force by force.²

Buchanan had learned in the same school. It is interesting to trace the development of such views, to which the world's liberties owe so much, through France to Scotland, where the reformers were compelled, owing to the hostility of the State, to think out the question of the relations of king and subject, and to define their own attitude. Nor is it less instructive to note that in Germany the new Church, growing up from the beginning under the protection of the civil powers, had no such need to face that question—an apparent advantage at the outset, but leading in time to an attitude of subser-

¹ Stevenson's *History of Church and State in Scotland*, ii. p. 686.

² See Prof. Hume Brown's *George Buchanan*, chap. xvii.

viency on the part of the Church to the State, to the deadly injury both of Church and State.

The time had now come in Scotland to translate Buchanan's doctrines into deeds, and the Covenanters did not flinch. Henderson's paper therefore possesses political and historical importance. His arguments completed the conversion of the conservative wing; the Covenanters closed their ranks, and entered on a conflict against arbitrary power which went on with varying fortune till 1688, when a whole nation put Buchanan's doctrines into practice, and the long struggles of the Covenanters were rewarded. But though driven in self-defence to arm, those men whom Charles so miserably misunderstood and flouted remained 'the most loyal and faithful subjects that ever a prince had.' They took up arms unwillingly and would have laid them down joyfully; 'yea, had we been ten times victorious in set battles,' cries Baillie, warming into a glow of rugged eloquence as he writes, 'it was our conclusion to have laid down our arms at his feet, and on our knees presented nought but our first supplications. We had no other end of our wars; we aimed not at lands and honours; we desired but to keep our own in the service of our prince, as our ancestors had done; we loved no new masters. Had our throne been void and our voices sought for the filling of Fergus's chair, we would have died ere any other had sitten down on that fatal marble but Charles alone.'¹ Their loyalty, it is true, was no blind obedience, but for a prince who observed the limits of law and constitution or for one whom they believed to be such, they were prepared to

¹ *Letters* (Laing's ed.), i. p. 215.

risk all they possessed. The fields of Dunbar and Worcester were in later days to attest their too generous loyalty to a royal house totally unworthy of such devotion.

The month of March, which saw the end of the pamphlet war, saw the beginning of military operations. The popular voice called it 'the bishops' war.' It was believed to be a war to force bishops on the Scots who did not want them. That was enough for men on both sides of the Border. The Scots were unanimous and determined to resist, the English had no heart to fight. Indeed to call it a war is almost a misnomer: it was a war in which the main armies never met and never fought, and it ended in a treaty which settled nothing.

On their side the Scots prepared for the worst. They set up a General Committee in Edinburgh, and in every county a committee to look after the raising and drilling of men, provision of arms, collecting of money. Scots officers serving abroad in the Thirty Years' War were called home to drill recruits. Alexander Leslie, who had been trained under Gustavus Adolphus, and had risen to the rank of Field-Marshal in the Army of Sweden, had returned to his native Scotland in October 1638 after thirty years' campaigning abroad. A successful soldier of fortune, he brought home a great reputation and ample wealth, and probably expected to settle down and live in peace for the rest of his days.¹ But he responded promptly to the call of the Covenant, and now sat daily with the General Committee, though as yet holding no

¹ See Prof. Terry's *Life of Alexander Leslie and The Army of the Covenant (1643-1647)*.

appointment, directing and advising. In March the Scots promptly seized Edinburgh Castle, and after it the castles of Dumbarton, Douglas and Dalkeith. In the same month Montrose was sent to deal with Huntly. Huntly was at Inverurie with 5000 men, but he fled before Montrose, who was in greater strength and entered Aberdeen, his men wearing bunches of blue ribbon tied to their bonnets. Then Montrose by a trick kidnapped Huntly and his eldest son, and had them shut up in Edinburgh castle. Lord Aboyne, the second son, escaped, but he too was defeated : on 30th March Montrose was again master of Aberdeen, and the king's cause was dead in the north.

Charles had an excellent plan of campaign—on paper. An important part of it was that Hamilton was to sail north in command of a fleet carrying 5000 men ; with these he was to join Huntly at Aberdeen and march south in triumph. But so leisurely were Hamilton's movements that when he reached the Firth of Forth it was already the 1st of May, and Huntly was safely under lock and key. Had Montrose been on the king's side in those early days how different a part would he have played from either Huntly or Hamilton, and how different might the results have been ! Hamilton, who was all for war when war was still in the distance, was by no means happy when he got his command. Of the 5000 men on whom so much depended, he wrote from Yarmouth Roads on 15th April to tell the king ' there will not be 200 that ever had a musket in their hand.' On 7th May, when he had been only a week in the Forth, he was already crying out, ' Your Majesty's affairs are in a desperate condition. The enraged

people here run in to the height of rebellion and walk with a blind obedience as by their traitrous leaders they are commanded. You will find it a work of great difficulty and of vast expense to curb them by force, their power being greater, their combination stronger than can be imagined.' He goes so far as to suggest feebly whether the king 'may not think of some way of patching it up.' As matter of fact he frittered away five or six weeks in the Firth of Forth without striking a blow. Both shores were fortified and guarded by the Covenanters and he was unable to land troops, he was not even permitted to publish a proclamation from Charles; his men sickened and died, and he was fain to make his way back to the king's camp early in June. He was then as strong for peace by negotiation as he had previously been for war.

Charles himself had reached York on 30th March and spent a month there. The English trained bands, hastily gathered, were never more than an undisciplined mob, but they had the outward show and semblance of an army, and that was enough for the king. He had no eye for realities; he regarded, says Clarendon, 'the pomp of his preparations more than their strength.' And he had boundless faith in the awe and reverence that the name of a king would inspire: he expected that as he approached the borders in person the Scots would immediately yield to the mere show of force.

On 1st May, when the army had reached Durham, Sir Edmund Verney, whose letters shed a flood of light on the expedition, writes, 'Our army is but weak, our purse is weaker, and if we fight with these forces and early in the year we shall have our throats cut. . . . I daresay there was never so

raw, so unskilful, and so unwilling an army brought to fight.' ¹ A week later, 'Our men are very raw, our arms of all sorts nought, our victual scarce, and provision for horses worse.' And as late as 5th June when they were in camp at Birks near Berwick, 'Our army is very weak and our supplies come slowly to us, neither are those men we have well ordered. The small-pox is much in our army, there is a hundred sick of it in one regiment. . . . We are entrenched, and must only stand upon our defence, for I conceive we are not able to hurt them.' If the common soldiers were ill-fed, undisciplined, and without heart, the nobles who had reluctantly answered Charles's call were disaffected to the cause. Among them the war was thoroughly unpopular. Their sympathies indeed were with the Scots. They had no mind to force on them an ecclesiastical system which they rejected, and which even in England had come to be regarded with distaste. They did not fail to see that the defeat of the Covenanters would mean the riveting of absolutism in Church and State more firmly upon themselves. Disorder and confusion prevailed everywhere in the camp. Scouting was bad, confidence was completely undermined.

Meanwhile Leslie, who in the beginning of May had been appointed to the chief command of the Scottish army, had about this time, 5th June, taken up a position on Dunse Law, twelve miles from the Border. His force consisted probably of about 20,000; Charles's at the best of somewhere about 18,000 foot and 3000 horse. The Covenanters, inferior in numbers but stronger in everything else that made a fighting force, were

¹ *The Verney Papers* (1852), Camden Society, pp. 228, 233, 246.

very unwilling to shed blood in a contest with their king. They had made various attempts at peaceful negotiation during April and May. They wrote to Essex and then to Holland, both in the king's army, explaining in moderate and respectful language that they had no thought of casting off their obedience to the king or of invading England, all they wanted was peaceably to enjoy their religion and the liberties of their country according to their laws; for these things no quarrel could justly arise between the nations. There had already been negotiations with Hamilton, who on 21st May reported to the king: 'So soon as the rebels come near your sacred person they intend to present a petition to the same effect which that was which was last sent to London signed by Henderson, and in case of your refusal, to proceed in their damnable designs against your person, army and kingdom. Give me leave humbly to say that a present encounter is to be shunned, for whilst they are in this madness I know not what the event of a battle may prove.'¹ Nothing came of these overtures at the time, but Leslie's appearance on Dunse Law on 5th June hastened matters. Charles was then at Birks some twelve miles off and could catch sight of the Scottish tents. One day a Scottish page of the king appeared in their camp and suggested, 'as it were out of his own head,' that his countrymen might open negotiations. They accordingly sent over the young Earl of Dunfermline; he was well received, Sir Edmund Verney came back with an answer, and so at last negotiations were opened. The first conference took place on 11th June, between four commis-

¹ *Hamilton Papers*, Camden Society, p. 84.

sioners from the Scots and six from the king : on the 18th the treaty was signed. There were in all five meetings, on Tuesday 11th, Thursday 13th, Saturday 15th, Monday 17th, and Tuesday 18th, all in the tent of the English general, Lord Arundel, Charles himself being present at most of the discussions.

Two matters are of outstanding interest in connection with the so-called Pacification. The first of these is personal to Henderson and altogether pleasant. It is the liking which the king conceived for him, and not the king only but all the English courtiers. At the first meeting on the 11th Henderson was not present; the Scots commissioners were Rothes, Loudoun, Dunfermline and Sir William Douglas, Sheriff of Teviotdale. Charles came into the tent shortly after the discussion opened; he missed Henderson and Johnston, and on his mentioning this they attended the subsequent meetings along with the others. Baillie gives a gossip account, evidently from reports brought back by the commissioners. 'On the Wednesday or Thursday the king was much delighted with Henderson's discourse, but not so with Johnston's. Saturday was the third day of meeting, where the most free communing went on. His Majesty was ever the longer the better loved of all that heard him, as one of the most just, reasonable, sweet persons they had ever seen, and he likewise was the more enamoured with us, especially with Henderson and Loudoun. Their conferences purchased to us a great deal of reputation for wisdom, eloquence, gravity, loyalty and all other good parts with the English councillors who all the time did speak little, but suffered the

speech to pass betwixt us and the king.’¹ It must be added that the notes of the discussion on the 11th show Charles’s skill and ingenuity in debate.² Honest Baillie might be thought to be painting too rose-coloured a picture, but that oddly enough there is confirmation of his statements about both Henderson and Johnston. Edward Norgate (Secretary to Coke) sent on the 19th a long letter to his cousin, Robert Reid (Secretary to Windebanke) in London, giving the news of the camp in the previous week.³ The Earl of Stamford had dined with Leslie, he says, on Saturday last; he had brought back all sorts of news from the Scottish army. As to the disposition of the Scots, he said, ‘he would justify with his life that no people could show or make greater demonstrations of duty and obedience to their sovereign and affection to the English than they: and that their presbyters Henderson and others, defamed among us for so many incendiaries and boutefeus, are every mother’s son holy and blessed men of admirable transcendent and seraphic learning. My lord at his return acquainted the king with his journey and craved pardon that he went without leave, but protested that he was of opinion that no prince in the world could be more happy in the love of his people than His Majesty in these of Scotland. And now,’ Norgate goes on, ‘you can go nowhere but the Covenanters are commended and the Scotch bishops blessed backwards; indeed, for Henderson, he is so highly commended for a grave, pious and learned man, he has made one at

¹ *Letters* (Laing’s ed.), i. p. 217.

² Hardwicke, *State Papers*, ii. pp. 132-4.

³ *Calendar of State Papers* (Dom.), 1639, pp. 330-2.

every conference ; and Mr. Secretary (Coke) tells me that in all his speeches you may find as much devotion, wisdom, humility and obedience as can be wished for in an honest man and a good subject.' Johnston made a very different impression on the king, and we owe our knowledge of this to his own candour in setting the incidents down in his diary. At the meeting on Saturday he criticised some words of the king, probably with uncourtier-like vehemence, when Charles broke out 'that the devil himself could not make a more uncharitable construction or give a more bitter expression.'¹ After that everything that poor Wariston said seems to have ruffled Charles : twice over at the same meeting he 'commanded me silence' and said curtly, 'he would speak to more reasonable men.' On Monday, Johnston fared still worse, the king apparently would have none of him : 'this forenoon at two several times when I began to speak the king absolutely commanded me silence.'

But the Pacification of Birks was itself a fiasco. It was a treaty which not only settled nothing but deepened the distrust of Scotland towards Charles, and altered the relations between king and people for the worse. A preliminary discussion took place which gave the Church an opportunity to put on record her view of her powers in the matter of General Assemblies. This was doubtless the work of Henderson, and was a carefully considered and authoritative statement. It may therefore be well to set it down here. The king proposed three queries : (1) Whether he had the power of the sole calling of the General Assembly ; (2) Whether he had a negative voice in Assemblies ; (3) Whether

¹ Wariston's *Diary*, 1639-40, pp. 85, 87.

the Assembly may sit after His Majesty by his authority has discharged it to sit.¹ To these queries the answer given was as follows :

We humbly acknowledge that the king's Majesty hath power to indict the Assemblies of the Church, and whensoever in his wisdom he thinketh convenient he may use his authority in convening Assemblies of all sorts whether general or particular. We acknowledge also that the solemn and public indiction by way of proclamation and compulsion doth belong properly to the magistrate, and can neither be given to the pope nor to any foreign power, nor can it without usurpation be claimed by any of His Majesty's subjects ; but we will never think but that in case of urgent and extreme necessity the Church may by herself convene, continue, and give out her own constitutions for the preservation of religion. God hath given power to the Church to convene ; the love of God hath promised His assistance to them being convened, and the Christian Church has in all ages used this as the ordinary and necessary means for establishing of religion and piety and for removing of the evils of heresy, scandals, and other things of that kind. According to this divine right the Church of Scotland hath kept her General Assemblies with a blessing from heaven, for while our Assembly hath continued in her strength the unity and peace of the Church continued in vigour, piety and learning were advanced, and profaneness and idleness were censured.

The Church of Scotland hath declared that all ecclesiastical Assemblies have power to convene lawfully for treating of things concerning the

¹ Peterkin, *Records of the Kirk*, p. 228.

Church and pertaining to their charge, and to appoint times and places for that effect.

The liberties of this Church for holding Assemblies are acknowledged by Parliament and ratified *anno* 1592.

There is no ground either by act of Assembly or Parliament or any preceding practice, neither in the Church of old nor yet in our own Church since the Reformation, whereby the king's Majesty may dissolve the General Assembly or assume unto himself a negative voice, but upon the contrary His Majesty's prerogative is declared by Act of Parliament to be no ways prejudicial to the privileges and liberties which God hath granted to the spiritual office-bearers of his Church. By this means the whole frame of religion and Church jurisdiction shall depend absolutely upon the pleasure of the prince, whereas His Majesty has publicly declared by public proclamation in England that the jurisdiction of the churchmen in their meetings and courts holden by them do not flow from His Majesty's authority, notwithstanding any Acts of Parliament which have been made to the contrary, but from themselves in their own power, and that they hold their courts and meeting in their own name.

The Pacification in form consisted of two documents, a Declaration by the king, and certain Articles which were signed by the Scottish commissioners, both dated 18th June. The vice lay in the general language used in the Declaration. In it the king stated 'That though we cannot condescend to ratify and approve the acts of the pretended General Assembly at Glasgow, we are pleased to declare and assure that, according to

the Petitioners' humble desires, all matters ecclesiastical shall be determined by the Assembly of the kirk, and matters civil by the Parliament, and Assemblies accordingly shall be kept once a year or as shall be agreed upon at the next General Assembly.' He further stated : ' For settling the general distractions of that our ancient kingdom, Our Will and Pleasure is that a Free General Assembly be kept at Edinburgh the 6th day of August next, and thereafter a Parliament to be holden at Edinburgh the 20th day of August next ensuing, for ratifying of what shall be concluded in the said Assembly.' The chief requests made by the commissioners in the discussions had been (1) that the king would assure them that the acts of the Glasgow Assembly would be ratified in the ensuing Parliament, and (2) that the king would declare it his will that all matters ecclesiastical be determined by the Assemblies of the kirk and matters civil by Parliament. Charles made it a point of honour to refuse to ratify the acts of the last Assembly, which he persisted in describing as ' a pretended Assembly,' but he granted in terms the second request. Though using the very words of the Scots he did not mean the same thing as they meant. He understood perfectly what they meant, viz., that they stood firmly by the lawfulness of the Glasgow Assembly, that they held all the matters there discussed and decided to be ' matters ecclesiastical ' as to which the Assembly was the competent tribunal. He knew that by a free Assembly they meant an Assembly composed of members elected by presbyteries, and did not include prelates appointed by the king. To consent to ' a free General Assembly ' was simply to juggle with

words if all the time Charles meant (as he did mean) to retain episcopacy. Whether the Covenanters were right or wrong they had at least disclosed fully the meaning of their request; it ought to have been openly granted or refused. The natural meaning of the Declaration was that though he declared he would not ratify the acts of the Glasgow Assembly, Charles in consenting to a free Assembly virtually nullified this condition,¹ and the Scots so understood it. It was unfortunate that in dealing with a man like Charles they accepted a Declaration couched in general language. They seem to have been satisfied with his fuller explanations given in the course of the discussions. These they took care to preserve in a narrative written down at the time. 'The king's own exposition,' Baillie calls it, 'declared to us by all the communers and taken first at their mouth by many extemporary pens and then set down by themselves to be communicated to all.'² Charles afterwards challenged the correctness of the Narrative: he found it circulating in England, and was so angry that he caused it to be burned by the common hangman. But the probabilities all point to its substantial correctness. The paper shows that the constitution of the Assembly was discussed, and that the king made it clear that the expression 'free Assembly' in his Declaration 'did import the freedom in judging all questions arising there anent constitutions, members or matters.'³ Further, the paper states that when the king was pressed at the meeting on Saturday 15th, and again on Monday

¹ Hume Brown, *History of Scotland*, ii. p. 315.

² *Letters* (Laing's ed.), i. p. 218.

³ Peterkin, *Records of the Kirk*, p. 230.

17th, 'to give some specification of quitting episcopacy' his reply was 'he would not prelimit or forestall his voice, but he had appointed a free Assembly which might judge of ecclesiastical matters, the constitutions whereof he would ratify in the ensuing Parliament.' The duplicity of the king is clear. The first thing that made men doubt his good faith was the terms of the Proclamation. On 1st July, proclamation of the new Assembly was made for 12th August—a postponed date, and it invited archbishops and bishops to take their places there as members. This was met with a protestation, on the very natural ground that it went, or seemed to go, in the teeth of the king's solemn promise of a 'free Assembly.' Charles's private reply, dated 6th August, to the bishops through Spottiswoode, who wanted the Assembly and Parliament prorogued, makes it plain that his apparent concession to the Scots was a mere pretence: it is not surprising to learn that Laud had a hand in it.¹ 'We do hereby assure you,' he wrote, 'that it shall be still one of our chiefest studies how to rectify and establish the government of that Church aright and to repair your losses, which we desire you to be most confident of.' 'You may rest secure that though perhaps we may give way for the present to that which will be prejudicial both to the Church and to our Government, yet we shall not leave thinking in time how to remedy both.' He commanded the prelates to absent themselves, but to lodge exceptions against Assembly and Parliament privately with the Commissioner; 'we would not have it to be either read or argued in this meeting but to be represented to Us by him.'

¹ Burnet, *Memoirs of the Dukes of Hamilton* (1677), p. 134.

In his Instructions to Traquair, who was sent as Commissioner, he said if the Assembly required episcopacy to be abjured 'as contrary to the constitution of the kirk of Scotland' he was to agree. The Instructions are careful to lay down that the abolishing of episcopacy is not to be made in prejudice of that form of government as unlawful but only in satisfaction to the people, for settling the present disorders, and such other reasons of State; adding the singular words, 'but herein you must be careful that our Intentions appear not to any.' If Burnet is right¹ that Traquair advised the king that in the absence of the bishops the proceedings in Parliament would be null and void, and that he would therefore be able without violating the law to bring back episcopacy when he felt able to carry it, Charles's 'intentions' and the method of giving effect to them become doubly clear.

Henderson was one of the six Scottish commissioners who signed the Articles of the Pacification. The Articles dealt with other matters besides the Church, and the opportunity for a gibe at Henderson is too tempting for Bishop Burnet to miss.² We are reminded that 'it was strange to see a churchman who had acted so vigorously against bishops for their meddling in civil affairs, made a commissioner for this treaty and sign a Paper so purely civil; so strongly does passion and interest bias and turn men.' The bishop forgets that the Pacification dealt mainly with the affairs of the Church, that it was to discuss these that Henderson had been summoned into conference.

¹ Burnet, *Memoirs of the Dukes of Hamilton* (1677), p. 149.

² And Nalson in more bitter language, *Collection*, i. p. 241.

On such matters he spoke with greater authority than any other. However averse he was to take a part in public affairs the history of Church and State had for the time being become one, a great national drama was being enacted in which the Church played the foremost part, and the leading churchman became by force of circumstances a leader also in affairs of State.

8. ASSEMBLY AND PARLIAMENT, 1689

August—November

The Assembly sat at Edinburgh on 12th August : David Dickson was Moderator : the place of meeting was the east kirk of St. Giles. In the weeks that had elapsed since the signing of the treaty recriminations had arisen, each side alleging with some truth that the other had broken its terms. Peace was ostensibly restored, but neither side trusted the other and public opinion was in an excited and suspicious state. The king did not stir from Berwick, and many of his troops remained billeted in the neighbourhood. On 22nd June the castle of Edinburgh was surrendered to Hamilton, but General Leslie's commission was not withdrawn, and the officers who had come from abroad to serve in the Scots army were still kept at home. The proclamation of the Assembly for a date later than that agreed on and the inclusion of the prelates in it, followed as this was by the protestation, did not tend to smooth public feeling ; and next day (2nd July) the people of Edinburgh, annoyed to see the castle in the hands of their enemy Ruthven, made an onset on him and Traquair in the streets. But something more serious followed. Loudoun was

dispatched to Berwick to apologise to the king for this disturbance, but was sent back with an order requiring fourteen of the leaders to come to the Court. The ostensible reason was that the king had 'business of great consequence concerning the peace of his kingdoms to advise with them.' Argyll, Montrose, Rothes and Henderson were among those summoned. Only six obeyed the summons, and the king commanded them to send for the rest. The public belief in Scotland was that there was a design to entrap the leaders of the Covenant, and Sir James Balfour plainly says, 'While the Court remained at Berwick there was a court trap laid to catch some of the prime Covenanters.'¹ The matter is not made the less mysterious by the terms of a private warrant from Charles to Hamilton 'to converse with the Covenanters,' dated 17th July 1639.² The object was to find out what their intentions were, 'for which end you will be necessitated to speak that language which if you were called to an account for by us, you might suffer for it. These are therefore to assure you, and if need be hereafter to testify to others, that whatsoever you shall say to them to discover their intentions in these particulars you shall neither be called in question for the same, nor yet it prove any ways prejudicial to you, nay, though you should be accused by any thereupon.' Suspicion of danger was enough for the populace: when Henderson and the others were leaving Edinburgh by the Watergate near the Abbey crowds gathered to stop their horses.³

¹ *Historical Works*, ii. pp. 333-4.

² Hardwicke, *State Papers*, ii. pp. 141-2.

³ Guthry's *Memoirs* (1748), p. 61.

Within the Assembly the atmosphere was quiet. The first business was to pass an Act 'containing the Causes and Remedy of the byegone Evils of this kirk.' This Act gathered up into one the various matters of which the Church had complained and dealt with them all. In effect it re-enacted what the Glasgow Assembly had done, but carefully avoiding any reference to that Assembly. The Service Book and Canons were rejected; the Articles of Perth were to be no more practised; episcopal government and the civil places and powers of kirkmen were to 'be holden still as unlawful in this kirk'; the Assemblies from 1606 to 1618 were 'accounted as null and of none effect.' Then there followed the important provision that for preventing all such evils in time coming General Assemblies 'rightly constituted as the proper and competent judge of all matters ecclesiastical' were to be held yearly or oftener as occasion required; also that kirk sessions, presbyteries and synods be constituted and observed according to the order of the kirk. It is to be noticed that the Assembly refused by word or act to throw any doubt upon the lawfulness of the proceedings in the Glasgow Assembly; the sentences against the bishops were not cancelled, and no fresh proceedings were taken against them. Traquair intimated his assent to this very important Act and his intention to ratify it in the ensuing Parliament, and the Assembly, believing that the king meant what the Commissioner expressed, burst forth into expressions of gratitude and joy. Henderson who was leader of the house declared that that memorable day, Saturday 17th August, was 'as joyful a day as ever I was witness unto,

and I hope we shall feed upon the sweet fruits hereafter.' Some of the aged members, who recalled the state of the Church before the innovations, were hardly able to give expression to their emotions. One of these 'Mr. John Wemyss, called on, could scarce get a word spoken for tears trickling down along his gray hairs, like drops of rain or dew upon the top of the tender grass, yet withal smiling for joy said : I do remember when the kirk of Scotland had a beautiful face, I remember since there was a great power and life accompanying the ordinances of God, and a wonderful work of operation upon the hearts of people. This my eyes did see—a fearful defection after procured by our sins ; and no more did I wish before my eyes were closed but to have seen such a beautiful day, and that under the conduct and favour of our king's Majesty. Blessed for evermore be our Lord and King Jesus, and the blessing of God be upon His Majesty, and the Lord make us thankful.' ¹

The Assembly showed to little advantage in a Supplication which it adopted anent The Large Declaration. It devoted enormous pains to analysing this extraordinary production, exposing its 'lies and calumnies,' and asking the king to call in the book and have its authors punished. This manifesto had apparently been translated into various languages and sent abroad, representing the Covenanters as plotting rebellion under pretence of religion. It embittered their feelings against the prelates, who were regarded as the real authors, to a painful degree, and they permitted themselves the use of very violent language. We have to remember they were living in days when an Arch-

¹ Peterkin, *Records of the Kirk*, p. 251.

bishop of Canterbury cut off men's ears and branded their faces for writing pamphlets against him. When a lay member of Assembly desired to express his opinion of the wickedness of this book he said, 'It is a great pity that many honest men in Christendom for writing little books called pamphlets should want ears, and false knaves for writing such volumes should brooke heads.'

But the most notable and most regrettable proceeding of this Assembly was a supplication to the Commissioner and the Privy Council to order that the Covenant be subscribed by all His Majesty's subjects in Scotland 'of what rank and quality soever in time coming.' This was prefaced by a loyal declaration that they never had any intention to attempt anything to the diminution of the king's authority, and a solemn oath to stand to the defence of the sovereign in everything concerning His Majesty's honour. A committee of the Assembly, of which Henderson was one, appeared before the Privy Council with the petition; it was duly granted, and an Act of Council passed. Not a voice, either in Assembly or Council, was raised in protest against this proceeding, although it went beyond anything the Covenanters had hitherto done, and made a vital change in their attitude to the king and the nation which led in time to disastrous results. The Covenant had been a protest against coercion in matters of conscience, a bond voluntarily entered into by those who signed it in defence of liberty in the worship of God, and as such it was amply justified. This bond was now to be imposed by civil pains and penalties upon every Scottish subject whether he agreed with it or not, in other words, it was per-

verted into an instrument of oppression. It was taken as a matter of course, in accordance with the accepted ideas of the time, that the national Church should impose its beliefs on the whole nation, and that every individual should be compelled to accept them or at least profess acceptance. But it is matter for profound regret that men who valued liberty so highly for themselves, and had just emerged from so severe a struggle for it, in which they had pledged life and fortune, should have made the serious mistake of seeking to force the Covenant on every Scottish subject then living, and to bind every future generation of Scotsmen to its terms. Men who could do that had after all a very imperfect notion of liberty. And it is specially lamentable that men who called themselves Protestant, who professed to believe in the right of private judgment and the supremacy of conscience, had so imperfect an understanding of the meaning and effect of their own principles. The Covenanters made undoubtedly a great contribution to the cause of liberty, but their antagonists made a much-needed contribution too when they re-asserted the Reformation principle that 'General Councils, and consequently the National Kirk of Scotland, have no power to make any perpetual law which God before hath not made,' and that as for themselves 'we do not take it upon us to lay any further bond upon our posterity than the Word of God doth, recommending only our example to them, so far as they shall find it agreeable to God's Word.'¹

This Assembly passed, on Henderson's suggestion, an admirable piece of legislation, the first Barrier

¹ Burnet, *Memoirs of the Dukes of Hamilton* (1677), pp. 86-7.

Act. 'Considering that the intended Reformation being recovered may be established, Ordains that no Novation which may disturb the peace of the Church and make division be suddenly proponed and enacted; But so that the motion be first communicated to the several synods, presbyteries and kirks, that the matter may be approved by all at home, and commissioners may come well prepared unanimously to conclude a solid deliberation upon these points in the General Assembly.' The reference to 'kirks' or kirk-sessions is worthy of notice. This act has been followed by others. The Barrier Act of 1697 differs chiefly in dropping out the reference to kirks, providing simply that the overture be remitted to the consideration of the several presbyteries. The Church had had too much experience of proposals brought in and forced through in one Assembly under pressure; the object was to prevent surprise legislation in future, to secure deliberation in passing Acts, to give opportunity to the whole Church to have a previous knowledge of the proposal, and to express their opinion upon it.

On 30th August Traquair gratified the Assembly by consenting in the king's name to all its acts, and promising that the first thing Parliament should do would be to ratify them. He was careful to see that the terms of his declarations to the Assembly were registered in the books of the Privy Council. The precise terms were important in view of his Instructions from the king. He declared that 'for giving satisfaction to his people and for quieting of the present distractions he (the king) doth consent to the five Articles of Perth, the government of the Church by bishops, and

civil places and power of kirkmen being declared unlawful within this kirk as contrary to the constitutions thereof.' But it was added that 'the practice of the premises prohibited within this kirk and kingdom shall neither bind nor infer censure against the practisers outwith the kingdom.'¹

The Commissioner doubtless flattered himself that he had faithfully carried out his instructions, but he had yet to learn what a difficult master Charles was to serve. The king's letter of 1st October must have come as a cold douche. He was there sharply informed that he had exceeded his instructions, that the king totally disapproved of his consenting to the abolition of episcopacy as 'unlawful,' and commanded him not to ratify the act in the same terms in Parliament. Charles was distressed lest an admission that episcopacy was unlawful in Scotland might be taken as admitting it to be unlawful in England as well. Against that he was entitled to be protected. But he was needlessly apprehensive. Traquair was free to consent to the abolition of episcopacy 'as contrary to the constitution of the kirk of Scotland': what he had done was to consent to its abolition as 'unlawful within this kirk as contrary to the constitutions thereof.' Against a consent so guarded the king had no just cause of complaint.

The churchmen were premature in their rejoicings. Parliament sat on 31st August, the day after the Assembly rose, meeting for the first time in the new Parliament House which had just been built. Until it ratified the Acts of Assembly and until the king assented to the Acts of Parliament everything was still in the air, the Church had no security.

¹ *Register of Privy Council*, vii. (2nd series), p. 132.

But Parliament sat till 14th November, and was then prorogued without its own consent till June 1640, and still nothing was settled. If the king was dissatisfied with the Assembly he was far more deeply dissatisfied with Parliament. That a new spirit was at work in it was evident from the outset. A great deal had happened in Scotland since the Parliament of 1633. A revolution had taken place. The great Assembly of 1638 had dealt a fatal blow at episcopacy and also at absolute monarchy. The same spirit animated the Assembly of 1639. It entered the political sphere too, and at once transformed the erstwhile humble and subservient Scottish Parliament. This was evident in the very first business, the election of the committee of the Articles. The disappearance of the bishops involved some remodelling of that committee. Traquair was to try to fill the places of the fourteen prelates with as many ministers chosen by the king. If that were hopeless the next best was that fourteen laymen should be chosen by the king. His hope was that they would play the same rôle as the bishops had previously done in choosing the committee of the Articles, and in that way enable the Crown to retain the control of Parliament. But Argyll and Loudoun, while agreeing as a temporary arrangement for the present Parliament that Traquair should elect eight noblemen to be on the Articles, who in turn should choose eight barons and eight burgesses, protested that this was not to prejudice 'their right and liberty of a free Parliament,' and that 'an article be presented and an Act made for settling a perfect order of election of the Articles in all time coming, whereby the noblemen by themselves, the barons by them-

selves, and the burghs by themselves may elect such of their own number as shall be upon the Articles.' This meant nothing short of a political revolution. The control of Parliament would be completely wrested out of the hands of the king. Here was a new and alarming development. It was no re-assertion of former liberties as in the case of the Church; it was a new and unheard-of claim to subvert the constitution. A political change so vast and so sudden was certain to strain the unity of the party, to bring about a split between the radical and the conservative Covenanters. In point of fact the split occurred, and it is important as the first cleavage in the hitherto solid ranks of the Covenant. A conservative party appeared headed by Montrose. They too were against episcopacy, but they took for granted that the king would now honestly accept the situation and reconcile himself to Scottish presbyterianism. The majority, on the contrary, were convinced that to leave him in control of Parliament was to imperil all the work that the Assembly had done. Acting on his belief, Montrose was prepared to support the Crown in striving to maintain its control of Parliament through the committee of the Articles. He was jealous of the growing strength of the popular movement and of Argyll's leadership: he believed in the royal authority as something not derived from, but to be balanced against, national right, and he was prepared to go great lengths in submission to it. Besides, he had not taken the true measure of Charles's character. He was ardent and sincere in his devotion to his country, but he believed that the king meant well, and that his professions

should be accepted. He had not imbibed that deep distrust of Charles which a better understanding and a longer experience of him had implanted in the minds of other men both in England and Scotland. Had Charles even now frankly accepted the Pacification as Scotland understood it, and made his peace with the Church, he might have secured the political support of a strong party among the Covenanters, and the neutrality of the Scots in the coming struggle with the English Parliament. He threw away whatever chance he had of detaching the moderate Covenanters at this time by the line he took on the Church question. On 1st October he wrote to Traquair refusing his consent to the rescinding of any Acts of Parliament in favour of episcopacy. That made it plain that his consent to the Assembly's abolition of episcopacy was due simply to present compulsion, and that he would undo it as soon as he felt strong enough. When Parliament proceeded to pass Acts abolishing episcopacy as 'unlawful within this kirk,' and depriving bishops of their votes in Parliament, and other Acts ratifying the proceedings of the Assembly he resolved to delay no longer. He ordered Traquair to prorogue Parliament till March. There was strong opposition to proroguing without consent of the Estates as a thing without precedent. The Commissioner consulted the king, who adhered to his resolution. On 14th November, upon the ground that 'diverse things have occurred in this Parliament which, as His Majesty conceives, mainly touch His Majesty's civil authority and government,' prorogation was made till 2nd June 1640, in the face of a solemn remonstrance and protest. The rupture with Parliament was due to the king's

attitude on Church legislation, but he wished to rest it on other grounds. 'If you find,' he wrote to Traquair, 'that what we have commanded you to do is likely to cause a rupture, their impertinent motions give you a fair occasion to make it appear to the world that we have condescended to all matters which can be pretended to concern conscience and religion, and that now they aim at nothing but the overthrow of royal authority contrary to all their professions. Therefore we hope and expect that if a rupture happen you will make this appear to be the cause thereof and not religion.' Whatever he wanted to 'appear to the world' Charles knew it was his refusal to carry out the terms of the Pacification in matters of religion that lay at the root of the dissatisfaction and irritation in Scotland.

Before the prorogation Loudoun and Dunfermline had been sent up by the Estates to ask the king to confirm the Acts of the Parliament. They were denied access, and before they returned from London Parliament had been prorogued. A second time they went up by invitation conveyed through Traquair. They had audiences with the king in February and March 1640, but nothing came of these discussions. Charles showed himself as unwilling as before to throw over the bishops and confirm the Acts of the Parliament, and so settle the Church question in Scotland. The conferences were futile, for the simple reason that he had already made up his mind for war.

9. BLUE BONNETS OVER THE BORDER

August—October 1640

Before the end of 1639 the king had called Wentworth into his counsels. A committee of eight privy councillors, of whom only one—Hamilton—was a Scotsman, were charged with Scottish affairs, but Wentworth was the king's real adviser from this time onwards. He was all for war and for aggressive war against Scotland. He was confident that the Scots would be easily subdued, a single campaign of five months would suffice. Charles was singularly unfortunate in his advisers. Just a year before Hamilton, who ought to have known Scotland, told him it would be an easy matter to take the kingly way and conquer the Scots. Now Wentworth, who certainly did not know Scotland, gave the same advice. In the interval the king himself had an opportunity of putting the matter to the test. He knew the result of his miserable expedition to Birks. But he was incapable of learning. So there must be a second war against these stiff-necked Scots. And Wentworth had no doubt how it ought to be gone about. A Parliament must be summoned. He was the strong man who had shown that he could rule Ireland and could manage an Irish Parliament. But his advice proved that he understood the feelings of England as little as he did those of Scotland. He thought the English were as full of zeal for the king and as indignant against the Scots as he himself undoubtedly was. Nothing could have been further from the truth. Their temper during his long absence in Ireland had

hardened under a bitter experience of ship-money, forced loans, ecclesiastical innovations, Star Chamber and High Commission rule. Some might be indifferent, but the most part and the most influential part of the English people were now in sympathy with the Scots. Charles, however, congratulated himself he had found a piece of evidence of Scottish treason that would cause the loyalty of his English subjects to leap into flame. Traquair had come into possession of a letter which the Covenanting leaders had intended in the previous year, 1639, to send to the French king Louis XIII., asking him to mediate between Charles and them. The letter was signed by Loudoun among others, but it had never been sent. Traquair brought it to London in February 1640, and Loudoun, who was then in London, was thrown into the Tower. Parliament was summoned on Wentworth's advice, and met on 13th April. It had already been decided by the Council of War that an army was to be raised. In February arrangements were made to raise 30,000 foot in England: in March Wentworth (now Earl of Strafford) crossed over to Ireland and induced the Parliament there to vote both men and money for the king's service out of Ireland.

When Parliament met it was asked to provide money for the army which Charles said he had been compelled to raise. At the same time the letter was produced and read. But the raising of an army by the king's sole authority had been regarded in England with great suspicion, and Parliament was in no hurry to vote supplies. As for the letter there was not sufficient evidence to show treasonable intention, and it was simply set aside. Members were more bent upon discussing the grievances of the English people, civil and

religious. Under Pym's leadership they took the position of refusing to vote money until grievances were redressed and from that position they refused to move. After a session of only three weeks, the Short Parliament was dissolved on 5th May. For us the noteworthy fact is that the dissolution was due immediately to Scottish affairs. The relations between the two countries were already developing in a significant fashion. In the early part of the year secret communications had passed between the leaders in England and in Scotland. Burnet has a story of one Frost being sent down from England as a poor traveller bearing a paper concealed in a hollow cane to be communicated only to Rothes, Argyll and Wariston.¹ Gardiner conjectures that the communications hinted at by Burnet related to the period before the Short Parliament.² Evidence is available which proves that Gardiner's conjecture is well founded, and is interesting for another reason. It amplifies and corrects Burnet's version of the matter, and shows that the threads of the secret messages were in Henderson's hands. The Coltness papers tell the story in much fuller detail. It appears that James Stewart, an Edinburgh merchant (afterwards Sir James Stewart a Lord Provost of the city), was frequently in London on business matters. He was well known to be a staunch Covenanter. A friend introduced him to Lord Saville with whom he was closeted for some hours. Saville 'showed him the ferment was in England by reason of the Earl of Strafford's favouring the queen's Roman Catholic emissaries in England; that Ireland, in which he was Lord Deputy, was in Roman Catholic hands,

¹ *History of his own Time* (ed. 1823), i. p. 47.

² *History of England*, ix. p. 178 note.

Scotland could not long be safe; he entreated for his country's sake he would put his friends on their guard.' Stewart was averse to interfering, but on Saville's pressure agreed to a second interview. At it both signed an oath of secrecy, then 'Saville opened particulars and showed Stewart the combination of many leaders in England who would stand by the Scots in defence of their liberties sacred and civil; and the instructions he was authorised to lay before Argyll, Rothes and Mr. Henderson, minister, were all read over.' Stewart still declined. 'At length it was concerted that because of spies or strict search all the packet should be conveyed in a hollowed wheep, and that Saville's messenger should go along in the character of Stewart's servant with a portmantle; but that Stewart should open the matter in a verbal conference with the Rev. Mr. Henderson and deliver to him the concealed packet, which Mr. Henderson in the most prudent way was to impart to the two Lords.' Stewart's Day-book gives a clue to the date. It contained an entry: '6th February, Mr. Frost and I came from London in ten days. What have I to do with the quarrel, Earl Strafford and Lord Saville? Saville drives one way and looks another, yet Providence may bring good out their jarrings to his own cause.' The Coltness writer goes on: 'Bishop Burnet hints at this story of Lord Saville but is in somewhat wrong. He says all the subscriptions were forged, but there were more than a dozen genuine, and most of them Parliament men. Vane, Strod and Hampden were in the concert and so was Hollis, though he knew nothing of the forgeries, for several such were adhibited.'¹

¹ *Coltness Collections*, Maitland Club, pp. 19-21.

It is certain that conferences also took place between the Opposition leaders and the Scots commissioners who were in London in regard to the Scottish grievances. Now Parliament was about to take an open step by petitioning the king to come to terms with the Scots. It was well known that the war against Scotland had no friends in the Commons, that, on the contrary, many looked on the cause of the Scots as really their own. The petition, it was expected, would be adopted on 5th May. The prospect of a debate and petition on Scottish matters alarmed the king, and in order to prevent it he hastened to dissolve Parliament.¹

But though the king had resolved on war he was not ready to strike. Three months and a half were still to elapse before he left London—on 20th August—to put himself at the head of his army. Over the history of those three months are written confusion, distraction and vacillation. The king and his advisers were at their wits' end to raise money. Every device was tried, many of them only to be dropped: forced loans from the city, from peers, from others in the king's service, a benevolence from the clergy, an advance by the farmers of the customs, debasing the silver coinage, a subscription from English Roman Catholics, ship-money, coat and conduct money, and so forth. The king was met by murmuring, refusals, resistance. And after every effort the miserable bodies of recruits he was able to gather were undisciplined, mutinous, ill-paid, ill-led, a greater terror to friend than to foe. The Irish army, from which so much had been hoped, could not be brought over for want of money. The delay was all in favour of the Scots, who meanwhile

¹ *Calendar of State Papers (Dom.)*, 1640, p. 119.

were also preparing for the war. In April, Leslie was again appointed General by the Committee of Parliament, and the former organisation brought to life for raising and equipping an army. But instead of apathy and discontent Scotland was filled with the spirit of enthusiasm and energy; voluntary offerings of money, silver plate, jewels, rings, and cloth for tents poured in. An army was raised of some 22,000 foot and 3000 horse. The English force is said to have been about half that number, but even greater was the contrast in the morale of the opposing armies. The Scottish soldiers understood and believed in the cause for which they were fighting, they had confidence in themselves and in their leaders; the English lacked all these things.

If the people of Scotland were themselves heart and soul in the cause, their leaders acted with a determination, promptness and skill that breathed confidence into the nation. Parliament met on 2nd June and, disregarding an order from the king postponing their meeting for a month as merely a device to gain time, voted themselves a lawful Parliament, elected a president, and proceeded with business in the absence of the Commissioner. It rescinded the Acts in favour of prelates sitting and voting in Parliament, made Parliament master of its own committees, free to pass or reject bills proposed by the committee of the Articles, which, if elected at all, was to contain representatives of each Estate chosen by that Estate, and generally passed all the bills which had been approved by the committee of the Articles before the prorogation of November. It also passed an Act providing that Parliaments should be held once every three

years. On 11th June it rose, after ratifying the appointment of Leslie and vesting the direction of the war and the government of the country in a large Committee of Estates. On 28th July the General Assembly met at Aberdeen. Henderson was not present, he was needed in Edinburgh where the leaders of the nation had affairs of the utmost gravity on hand. The Committee of Estates first dealt vigorously with the north. Aberdeen and the Gordon country were sternly brought to submission by Colonel Munro. Argyll raided the Athol country and Angus; soon there was no support in Scotland for the king except Ruthven holding the castle in Edinburgh.

In regard to the situation in England, the Committee of Estates felt they were on firmer ground now than they had been the year before. The Short Parliament had come and gone. Its attitude had been friendly to the Scottish cause; the refusal to support the king by supplies had been an invaluable assistance. The situation was no longer what it had been. The two nations had drawn more closely together, and come to realise that they were fighting the same battle. The Committee knew also the king's desperate straits for money, the widespread discontent of the English people, and the disaffection of the English troops. The Scots were in secret communication with a number of English noblemen, and were assured of their sympathy and support, and they decided not to wait this time on their own side of the Border but to march south. After their experience of the treaty of Birks they would have nothing more to do with a peace patched up with the king himself: they were determined to deal

direct with an English Parliament, and they believed that could not be done till a Scottish army stood on English soil and controlled the situation.

Having decided upon an invasion of England the Scottish leaders early in August issued manifestoes addressed to the English people setting forth the reasons for this step. They had then as always a shrewd idea of the importance of what we have now learned to call the publicity department of war. One of these manifestoes was a short paper entitled an 'Information from the Scottish Nation to all the true English concerning the present Expedition.' Another, a longer document from Henderson's pen was headed 'Six Considerations of the Lawfulness of our Expedition into England Manifested.' The Information sets out by referring to the futile Pacification. Then it proceeds: 'In this case to send new commissioners or supplications were against experience and hopeless; to maintain an army on the Borders is above our strength and cannot be a safety unto us by sea; to retire homewards were to call on our enemies to follow us and to make ourselves and our country a prey by land, as our ships and goods are made at sea. We are therefore constrained at this time to come into England, not to make war, but for seeking our relief and preservation.' Then it points out that the cause is a common cause, and that only a Parliament can deal with it. 'Your grievances are ours, the preservation or ruin of religion and liberties is common to both nations, we must now stand or fall together. We come to get assurance of the enjoying of our religion and liberties in peace against invasion; and that the authors of all our grievances and yours being tried in Parliament

and our wrongs redressed, the two kingdoms may live in greater love and unity than ever before, if the wicked counsels of papists, prelatists and other firebrands, their adherents, be not more hearkened unto than our true and honest Declarations.' And they did not forget to assure their readers that no soldier would be allowed to commit any outrage or do the smallest wrong, and that they would take neither meat nor drink nor anything else but for money. A third and fuller manifesto was described as 'The Intentions of the army of Scotland declared to their brethren of England by the commissioners of the late Parliament, and by the General, noblemen, barons and other officers of the army.' These papers the Scots circulated through towns and villages in England as far south as London, and they produced no little effect in their favour.

The actual crossing of the Tweed took place at Coldstream on the 20th of August, the same day on which the king left London for the north. It happened that day that the lot fell on Montrose and his men with the bunches of blue ribbons on their bonnets to lead the van. Montrose himself went on foot first through the stream and returned to encourage his men. The army marched through Northumberland meeting with no opposition. The excellent promises of their manifestoes were followed by excellent conduct on the part of the invaders. Lord Conway, in charge of the king's forces in the far north, reported on the 24th: 'They deal very subtilly, they hurt no man in any kind, they pay for what they take, so that the country doth give them all the assistance they can. Many of the country gentlemen do come to them, entertain and feast them.'

On the king's side there was everywhere confusion, shilly-shallying, and unreadiness. When the Scots had reached the Tyne Conway went out of Newcastle with part of his forces and endeavoured to stop them at Newburn, some four miles up the river. The Scots had the better ground, there was some firing of cannon on both sides, but the raw English levies soon threw down their arms and fled as some Scottish horse began to cross the river. The horse charged the English cavalry which also broke and fled; the infantry fell back on Newcastle, the cavalry posted on to Durham. Such was the battle of Newburn on 28th August, the first and the last fight in Charles's boasted expedition to overpower Scotland. The Scots lost a dozen men, the English sixty or more. Newcastle, which ought to have been fortified but was not, was entered by the Scots next day. Strafford had got as far north as Darlington, the king was at Northallerton, but without striking another blow they turned back to York, leaving Northumberland and Durham to be overrun by the Scottish army. On the following Sunday the invaders had a high day in Newcastle: a public dinner was given to the general and the leaders, the king's health was drunk with enthusiasm, and Henderson preached 'to a great confluence of people.'

Little wonder that Treasurer Vane reported to Secretary Windebanke, 'It is strange to see how Leslie steals the hearts of the people in these northern parts. You shall do well to think of timely remedies to be applied lest the disease grow incurable, for I apprehend you are not much better in the south.' This last word explains the

astounding fact that not another shot was fired in the war; nobody either north or south had any heart for the king's cause. Its collapse was complete, and the humiliated king could only appeal to the Privy Council in London for advice. They advised the calling of a Great Council of Peers; for the moment this would save the king's face, but every one knew what it meant—what Charles hated and feared—the calling of Parliament. For once Laud put the truth bluntly. 'We are at the wall,' he said, 'we have no way but this or the calling of a Parliament, and the Parliament a consequent.' The Opposition Lords about the same time had also sent a petition to the king with a prayer for a Parliament. There was another from the city of London. Finally the victorious Scots, although masters of the North of England, were content also to petition that the king would consider their grievances and provide the repair of their wrongs and losses, and would with the advice of Parliament settle a firm and durable peace. Charles submitted to the universal and inevitable demand. On 24th September when the Great Council met at York he announced that he had directed Parliament to be summoned for 3rd November. With pompous imbecility he spoke to the peers about chastising the rebels, but he found them in no mood to listen to such language.

The fact was plain beyond words that the Scots were masters of the situation. Their leaders had shown themselves to be clear-sighted men. The daring policy of invading England, though attended with risks, had proved itself to be the sound policy. By a brief and almost bloodless campaign it had already brought within sight a real settlement of

the Scottish question. And it had done more. It had brought home to the two nations the conviction that their cause was a common one ; and by transferring the struggle to English soil and forcing the calling of a Parliament there it had put into the hand of England a weapon which in her present temper she was certain to use for her own deliverance from the common oppressor.

Meanwhile the Scots were ready to discuss a treaty, but they did not mean to waste time over it. Their army had to be fed, and if time were needed for settling the terms of a treaty provision must be made by England at once for the maintenance of that army. 'We were somewhat jealous of the English policy in this treaty,' says the cautious Baillie. 'If it take not speedy success our general minds to lift speedily from Newcastle and draw nearer to York. We hope that God will make the fear of our arms to further the Treaty.' The fear of the Scottish arms operated with remarkable effect. Sixteen English peers were appointed commissioners to treat. Their leader was the Earl of Bristol, an able and moderate man. The Scots commissioners, eight in number, included Loudoun, Dunfermline, Henderson and Wariston. Their conferences were held at Ripon, and lasted from 2nd till 26th October. The Scots commissioners were well aware of the strength of their position, and they made that evident to the other side. At the king's suggestion an attempt was made to induce them to leave Ripon and meet in York, doubtless that he might bring his personal influence to bear on them ; Loudoun and his colleagues refused to stir. In the end the Scots agreed to a cessation of arms upon

payment to them of a contribution of £850 a day for two months. Adequate security was to be found, and the Scottish army was to remain in occupation of Northumberland and Durham till the conclusion of the Treaty. The peers had to find money also for the English army; the disbanding of it, which meant leaving the whole of England at the mercy of the Scots, was not to be thought of. The city of London had no money to lend Charles, but promised at once a loan of £200,000 on the security of the peers. The so-called treaty of Ripon, humiliating though it was to England, was confirmed by the Great Council of Peers on 28th October. The English commissioners thought the Scots drove a hard bargain, but they had no alternative save to agree to terms which the other side would accept. At the conference table on 16th October Henderson assured Bristol in his most genial tone that their ends were all one, both sides were endeavouring peace; in fact it was England that had the advantage, for it was better to give than to receive.¹ The main treaty had still to be discussed, and as the meeting of Parliament was at hand it was agreed to carry on the further negotiations in London.

The result of the armistice was that England had to support two opposing armies, its own and that of the invaders. That was bad enough, but the extraordinary situation soon developed—farcical had it not been tragical—that the invaders remained on English soil long after the two months expired, practically at the invitation of the English Parliament to enable it to coerce the English king.

¹ Sir John Borough's *Notes: Treaty of Ripon*, Camden Society, p. 45.

10. HENDERSON IN LONDON : THE TREATY :
CASTELL'S PETITION

November 1640—July 1641

The current swept Henderson and his colleagues during the next few months into the very heart of the most stirring and stupendous events in English history. He was in London from November 1640 till near the end of July 1641. Those nine months saw the first period of the famous Long Parliament, when its vigour was unimpaired and its ranks undivided. They saw the collapse of personal government, the liberation and triumphant return of Prynne, Burton, Bastwick, Leighton and other victims of the Star Chamber, the impeachment, trial and execution of Strafford, the imprisonment of Laud, the downfall and flight of Windebanke and Finch, the Act for Triennial Parliaments, the discovery of the Army Plot followed by the Act providing that the Parliament should not be dissolved except with its own consent, the abolition of the Courts of Star Chamber and of High Commission, and the sweeping away of other inventions of the late arbitrary rule. The movement in England was in its inception, like the movement in Scotland, conservative ; but circumstances soon forced it along the path of revolution. Already indeed in those few months a revolution was peacefully accomplished. How came it that the English people who had fretted and groaned for years under civil and ecclesiastical tyranny were able so rapidly to make such a riddance ? How came it that the powerful king and his powerful ministers submitted to it all ? The simple reason was the presence of

the victorious Scots army at Newcastle. It kept in check the English army and it paralysed Charles. Parliament was able to go on with its great work, and alongside of that work the negotiations with the Scots commissioners also went on. The Scots army was willing to remain if its needs were supplied, Parliament was willing to meet them but in no hurry to conclude the treaty, pay the bill, and let the Scots go.

A singular transformation had meanwhile taken place in the relations between the two countries. The Union of the Crowns had put an end to the old conditions of intermittent warfare, but James's migration to London, bringing in his train courtiers and other followers from Scotland, and his treatment of the English Parliament had not made for increased cordiality. The English attitude to Scotland was one of suspicion if not hostility. Scotsmen were not popular in England either then or in much later days. The two nations were in fact foreigners to one another. The Englishman's ignorance of Scotland has not died out with time, it is the theme of one of Stevenson's most delightful *Memories and Portraits*. Ignorance of his neighbours, according to our distinguished and outspoken countryman, is the character of the typical Englishman; in fact he 'sits apart bursting with pride and ignorance.' 'There is one country . . . of which I will go bail he knows nothing. His ignorance of the sister kingdom cannot be described.' The twentieth century could already furnish fresh illustrations of the fact. But there is more than mere ignorance. 'He takes no interest in Scotland or the Scotch and, what is the unkindest cut of all, he does not care to justify his indifference.' The description exactly fits the

English nearly 300 years before Stevenson lived. In a well-known passage Clarendon describes their state of mind just before the storm burst in Edinburgh in July 1637: 'The truth is there was so little curiosity either in the Court or the country to know anything of Scotland or what was done there, that when the whole nation was solicitous to know what passed weekly in Germany and Poland and all other parts of Europe no man ever inquired what was doing in Scotland, nor had that kingdom a place or mention in one page of any gazette, so little the world heard or thought of that people.'

To this ignorance of Scotland on the part of Charles and Laud was largely due the disastrous policy of 1637. But as that policy ripened into civil war the indifference of the English people to their northern neighbours rapidly disappeared. Scotland became the most interesting of all countries to the English. They followed with eagerness the development of her quarrel with the king; they offered her sympathy and in the Short Parliament gave her very practical support. It was not that Englishmen understood Scotland better, it was their hatred of Charles's tyranny over themselves that drew them to the side of the Scots. Scottish visitors were now made welcome in London as they probably never were before or since: Henderson and his friends during their stay there in 1640-41 basked in the sunshine of popularity. The warm friendship was, alas! not of long duration. It did not stand the strain of the closer alliance formed three years later. That alliance, as it took shape in the Solemn League and Covenant, was itself in part the fruit of ignorance—ignorance this time

about England on the part of the Scots. But in the early days, in November and December 1640, there was no cloud on the friendship between the two nations. The prestige of the Scots stood extraordinarily high; the English regarded with admiration the small and poor country which had known how to curb so promptly and so effectually the king's misgovernment. The public feeling found expression in the flattering reception given to the Scots commissioners when they reached London.

Nine members of Parliament were appointed commissioners from Scotland; to these Henderson and Johnston were added 'because many things may occur concerning the Church.' Along with them Baillie, Gillespie and Blair, three leading ministers, were sent unofficially. On 6th November a party of six, which included Henderson and Baillie, left Newcastle on horseback, each with a mounted servant. They found England, as Scotsmen proverbially do, a very expensive country. 'Their inns,' says Baillie, 'are all like palaces; for three meals we would pay together with our horses sixteen or seventeen pounds sterling.' In London they were received with the greatest distinction and cordiality; the city insisted on lodging and entertaining them as its guests. They were lodged in Worcester House in the city, near London Stone, a house previously occupied by the Lord Mayor or one of the sheriffs. The king in his opening speech in Parliament was so misguided as to speak of the Scots as rebels. His people regarded them in a very different light, they spoke of the commissioners as 'their brethren from Scotland,' and raised such a storm that two days later Charles found it

necessary to explain away his words. The Scotsmen rose still higher in popular favour; from the ballad singers on the streets of London to the ladies and gentlemen of the Court their praises were in every mouth. Parliament voted £100,000 for the Scots army. The commissioners were received at Court and kissed the queen's hand. The church of St. Antholin or St. Anthony, which communicated by a private passage with Worcester House, was put at the disposal of the Scottish ministers, and there they held services regularly on Sundays and Thursdays. The preachers and their sermons attracted all London to see and hear them. 'From the first appearance of day in the morning on every Sunday to the shutting in of the light the church was never empty,' so great was 'the conflux and resort of citizens,' says Clarendon. He suggests some came out of curiosity, some out of humour and faction; but the truth is that London flocked to see and hear men who had played so notable a part in a great national drama. All over England the question of Church reform was already a burning question, and it was natural those people should be eager to learn from the lips of Henderson and his colleagues what they had to tell them about recent events in Scotland and about the Scottish system of Church government. It was during the same winter, and for the same purpose of enlightening the English mind, that Henderson wrote and published his admirable tract entitled 'The Government and Order of the Church of Scotland.' He was the outstanding man and the chief centre of interest. He must needs give sittings to Hollar, the distinguished Bohemian etcher who had come over to England in the train of the Earl of Arundel.

VERA EFFIGIES REV.
VIRI D'ALEX. HENDERSONI
Scoto Britanni



*James Lowrie brother
Alex Henderson*

FROM THE ETCHING BY HOLLAR, 1641

Hollar executed at this time the well-known etching which is believed to be the source of all the portraits of Henderson that we possess.

Meanwhile the work which had brought the commissioners to London was progressing. It was on 19th November that they met the English commissioners at Westminster. The latter were very friendly but were not to be hurried. The truth was that nothing alarmed them 'so much as our quick agreeing with the king and our disbanding of our army thereupon. Under God they all everywhere profess that they owe to that army their religion, liberties, parliaments, and all they have; that if we take conditions for ourselves, they say they are undone.' The Scots drew up their demands under eight heads. The first was that the king should ratify and publish the Acts of their late Parliament. In December that was discussed and conceded. Other demands dealt with a variety of matters—dismantling of fortified places on the borders, restoring of ships and goods, freedom to put the incendiaries on trial, and so forth. These were pretty well disposed of by the end of the year. In January came the great question of the war indemnity about which much debate was feared. The bill in all its grounds and details was drawn up by Wariston and revised by Rothes, but even in this matter Henderson was called in. It was 'perfected,' says Baillie, by him 'in a very pretty paper.' This tidy bill staggered Parliament when it was presented. It amounted to over £780,000. The Scots were willing to forego £270,000 or thereby, leaving a balance of over half a million. The Earl of Bristol, in the Upper House on 12th January 1641, was not unnaturally

startled at this 'vast proposition,' but the commissioners seem to have handled the indignant peers with canniness and discretion. The peers wished to hang the matter up altogether, but with great care, says Baillie, an answer was penned by Henderson to that very dangerous proposition. Ruffled feelings were soothed, and when the matter was debated in the Commons on the 21st, the result was a vote that sustenance for losses and charges should be granted, the amount to be settled later. In February the sum was fixed at £300,000. Parliament had 'a world of great affairs' on hand, and the treaty had to be postponed from time to time, although the Scots continued to clamour for payment. In March, Strafford's trial filled the stage, and every other question had to stand aside.

Baillie has painted for us a vivid picture of the great trial. The Scots commissioners had taken a hand in the framing of the charges against both Strafford and Laud so far as they affected their own country. Strafford's trial in Westminster Hall began on 22nd March and went on daily from eight in the morning till three or four in the afternoon. In the centre stood the accused man dressed in black at a little desk, behind him his secretaries and his counsel. In front were the peers; on each side, east and west, rose tiers of seats almost to the ceiling: there sat the members of the House of Commons and among them the Scots commissioners. At the north end was set a throne for the king, near by were enclosures for foreign nobles and for the queen and court ladies.

'It was daily the most glorious Assembly the Isle could afford: yet the gravity not such as I expected. Oft great clamour without about the

doors. In the intervals, while Strafford was making ready for answers the Lords got always to their feet, walked and clattered; the Lower House men too loud clattering. After ten o'clock much public eating not only of confections, but of flesh and bread, bottles of beer and wine going thick from mouth to mouth without cups, and all this in the king's eye. There was no outgoing to return, and oft the sitting was till two or three or four o'clock.'

Meanwhile Henderson, who had been appointed in December 1640 Rector of Edinburgh University, embraced the opportunity to see the king on the subject of securing better endowments for the poor Scottish universities out of the bishops' rents. In February the king had long interviews with the Scots commissioners: Rothes, Loudoun and he were in great favour, and Henderson sought to improve the occasion for the advantage of his country.

The treaty negotiations drifted on till May, and the relations of parties did not improve with the lapse of time. Parliament was more ready to vote money than to pay it, and discontent was growing in the Scots army at the delay in providing supplies. On the other hand, Englishmen chafed under the indignity of a foreign army occupying their territory so long, and the northern counties were growing restive. Rothes was won over by court influences. By June, however, negotiations approached an end, and upon 18th June Parliament passed a measure imposing a poll-tax for the payment of the Scots arrears and indemnity. The tax was no trifling matter: it ranged from £100 for a duke down to two shillings for an ordinary

householder: every male above sixteen had to pay, and sixpence per poll was the lowest sum for any. The treaty was actually concluded on 7th August, and on the 10th Charles gave his consent to a bill confirming the treaty. Then the Scottish army turned its face homewards, and the disbanding of the English army began. In addition to what had been already paid to them, the Scots were to receive the handsome sum of £220,000, half at midsummer 1642, and the balance a year later—a pretty substantial ‘brotherly assistance.’ The Treaty of London was in every way a contrast to the Pacification of Birks. This time the Scots made ‘siccar’ work of it. They refused to treat with the king, and he was excluded from all the conferences. They made sure beyond the possibility of misunderstanding that it rested on the public faith of England in an Act of the English Parliament.

But already larger questions were under discussion, questions touching the future permanent relations between England and Scotland. Ever since the Union of the Crowns in 1603 the need of a closer union had been more or less vaguely in men’s minds. King James brought the matter forward more than once, but the English Parliament was unfriendly and nothing was done. The same feeling lay behind Charles’s infatuated Scottish policy in 1637, as it lay behind Wentworth’s policy in Ireland. Charles’s attempt at religious uniformity had come to a disastrous end, but the need for closer union remained—in the opinion of Scotland it had become more urgent than before. Many there desired closer trade relations with England, and the Scots commissioners for the

Treaty were instructed to press that matter. They urged upon their English colleagues the appointment of a commission to draw up a scheme for freedom of trade—a statesman-like conception, but it had to wait: England was still jealous and hostile. The matter was referred back to the English commissioners for further consideration and nothing more was heard of it. Others again, of whom Henderson was one, saw in Charles's attempted innovations need for the Scottish national religion being safeguarded against future attack. What better way to do this than by having their Presbyterian system set up in England if the English could be induced to adopt it? Uniformity of religion, an inheritance from the Middle Ages, still fascinated the human mind; if it could be secured by consent, what could be more desirable? The state of opinion south of the Tweed suggested that the moment was opportune to make the attempt, and so the Scots commissioners were instructed to table the proposition (contained in the Eighth Article of their Demands) of 'a desire for unity in religion and uniformity in Church government as a special means of conserving the peace between the two countries.' It was with an eye to this part of the work that Baillie and the other two unofficial envoys were sent up.¹

And there was a still larger and grander vision before the minds of those ardent Protestants. The counter-Reformation had made alarming progress, and the Thirty Years War was now raging in Europe. It was to a great extent a struggle between Protestant and Catholic, and British

¹ *Letters* (Laing's ed.), i. p. 269.

Protestantism was deeply concerned in the issue. Jesuit agents abounded in England, Roman Catholics were increasing in number, the Catholic queen was the centre of Catholic influence and intrigue. Would it not be well to have a union of some kind, a drawing together of Protestant Churches on the Continent as well as in Britain against the common enemy? Thoughtful Protestants in more quarters than one were revolving this idea in their minds. John Durie, afterwards a member of the Westminster Assembly, was advocating the great plan on the Continent wherever he could get a hearing, and in London Samuel Hartlib, Milton's friend and Durie's ardent disciple, had for years been an enthusiastic missionary in the same cause. Laud of course would have nothing to say to it, but Hartlib found a warmer welcome in genuinely Protestant quarters. He was an eager reformer of a modern type, working for improvements in education and for all sorts of social and economic reforms. He made the acquaintance of Henderson in London, in order doubtless to discuss with him the great scheme of union of all the Protestant Churches of Europe. There was correspondence between them after Henderson's return to Scotland. Without doubt some such plan was long in Henderson's mind, and it explains the desire for a common system of doctrine and Church government which might be acceptable to all the Churches of the Reformation. This desire found influential expression at a later date in a letter of 30th November 1643, addressed by the Westminster Assembly to the Reformed Churches of the Continent.¹ The letter narrated the course

¹ Neal, *History of the Puritans*, iii. (1795), pp. 80-84.

of events since 1637, sent a copy of the Solemn League and Covenant, and asked their favourable judgment and sympathy. It begged 'that you would conceive of our condition as your own common cause, which if it be lost with us yourselves are not like long to escape, the quarrel being not so much against men's persons as against the power of godliness and the purity of God's Word.' Many years later than this Cromwell worked for a great alliance of Protestant states with England at its head.

To Henderson and his fellow travellers, when they entered the great world of London on the 15th of November 1640, it seemed as if everything favoured the early success of the policy of Uniformity which they were instructed to propose to England. London was in a state of high excitement and ferment. The Long Parliament had just assembled on the 3rd, and already a huge petition was in preparation praying that episcopal government might be abolished and a true government according to the Word of God established. This famous London root-and-branch petition was presented to Parliament on 11th December, signed by 15,000 hands; on the day of its delivery a crowd of 1500 men of quality and worth attended with it in Westminster Hall. And soon there were others in a similar strain; petitions from Kent, Essex, from ten or eleven counties. The root-and-branch party were powerful in London, and the Scotsmen found the anti-episcopal current running strong. Baillie reports, 'Huge things are here in working . . . all here are weary of bishops . . . all are for bringing them very low.'¹ Yet in a few months

¹ *Letters* (Laing's ed.), i. pp. 274, 275.

the Scottish plan was rejected by the English Parliament. Why did the policy which was to be adopted in 1643 fail in 1641? The truth is that the undoubted reaction against Laud and his bishops, the glowing atmosphere of popularity in which they themselves moved, and their intercourse with Puritan clergy and their supporters in Parliament all contributed to impress the Scottish visitors with an exaggerated idea of the strength of that party. They were sanguine enough to anticipate already the day of triumph for Presbyterianism in England. 'The far greatest part are for our discipline; for all the considerable parts of it they will draw up a model of their own with our advice, to be considered upon by commissioners of the Church and others appointed by Parliament, and if God shall bless this land, by these commissioners to be settled in every congregation at this extraordinary time, till afterwards the Church being constitute a General Assembly may be called to perfect it.'¹ The real state of opinion in England at the opening of the Long Parliament was very different from the sanguine imaginations of Baillie and his colleagues. There was deep dissatisfaction with the Laudian régime. The intermeddling of the bishops with secular affairs was everywhere resented, and there was suspicion of a design to bring back popery into the Church of England. But the general desire was for reformation not abolition, removal of grievances not overthrow of episcopacy. What the mass of Englishmen wanted was to restrict the bishops to their spiritual functions and to uphold the puritanism of the parochial clergy. This feeling found expression

¹ *Letters* (Laing's ed.), p. 287.

in numerous petitions which poured into Parliament, notably in the ministers' well-known Petition and Remonstrance presented in January 1641. On 8th and 9th February the petitions were debated in the Commons. The result was the appointment of a committee which reported in March, condemning the legislative and judicial powers of the bishops as a hindrance to the discharge of their spiritual function and prejudicial to the commonwealth. In the end of March a Bishops' Bill was brought in giving effect to this view; the object was to eject bishops from the House of Lords and Star Chamber. This was the first legislative effort of the Long Parliament: it was an attempt at moderate reform, and it reflected the prevailing state of opinion out of doors up to that time.

But the programme of moderate reform failed. The main proposal of the Bill was rejected by the Lords on 24th May. This rejection marks the opening of the second stage of the movement. A demand now arose for sharper measures. On 27th May a Root-and-Branch Bill to abolish episcopacy was introduced into the Commons. The Lords had a committee of their own to inquire into ceremonies and innovations, and a Bill was brought into their House in July. But in July the hour had passed for steps which might have satisfied in the previous November. The Root-and-Branch Bill found strong support in the Commons. Opinion had hardened so far that a majority were now prepared to abolish bishops. But this brought them face to face with the question, What system was to be set up in place of the old one? The House had not advanced far on this

subject when in the end of July the matter was dropped owing to Parliament rising in alarm at the king's projected journey to Scotland. But resolutions had been adopted vesting the jurisdiction of the bishops' court in lay commissioners appointed by Parliament, and referring the matter of ordination to a lay commission similarly dependent on Parliament. Had Church reform been allowed to proceed peacefully in England, it would probably have worked out on the lines indicated by these resolutions. The important point to be noticed is that Parliament had no thought of adopting the Scottish Presbyterian system. The debates indeed disclosed that the character of the primitive bishop was held in veneration, and that there was a general desire to restore the ancient primitive presbytery in which every minister had his share in the work of Church government. But that was a very different thing from setting up such a system as prevailed in Scotland, with its hierarchy of Church courts possessing a jurisdiction independent of the State and exercising large powers of discipline.

In the light of all this it becomes easy to understand the fate which overtook the Scottish proposals for Uniformity. Their eighth Demand, which contained their 'Desires concerning Unity in Religion and Uniformity in Church Government as a special means to conserve Peace in His Majesty's Dominions' was not reached till the middle of February 1641. This was the greatest of questions for Scotland, and the commissioners were eager to discuss it with their English friends. It had, however, to be postponed

till April, and meanwhile an unfortunate affair occurred which nearly wrecked their plans. A story got into circulation (started, they believed, by enemies at home) that the commissioners were growing remiss in certain matters, especially in their attitude towards episcopacy. Presbyterian London had just raised money for the Scots army, but this story created alarm and it refused to pay over the money. To clear the air Henderson consented to write 'a little quick paper proclaiming the constancy of our zeal against episcopacy.' This was given to the English lords of the Treaty to be communicated to Parliament, but a copy fell into the hands of a printer, who published it as a manifesto of the Scots commissioners in London. An explosion followed. An attack on the Church of England by envoys from another nation, printed and published in England without the king's authority, was a grave impropriety and offence. The printer was committed to prison. Charles 'ran stark mad at it'; he used ominous language, called it a seditious libel, said no ambassadors 'durst have done it for their hanging,' and declared that the authors had lost their privilege, meaning their safe-conduct. Bristol was much displeased. Within two days, on 26th February, the matter was brought before the Commons; even their friends there told the Scots they had been too rash, 'though they loved not the bishops, yet for the honour of their nation they would keep them up rather than that we as strangers should pull them down.' Writing to Balmerino next day, the 27th, Wariston reported the sudden storm raised, and admitted they could not justify the printing of the document until the Scots had formally given in their demand

for removal of episcopacy with their reasons.¹ There was nothing for it but to issue a quasi-apology, 'a mollifying explanation' which Henderson produced a few days later. This acted as oil on the stormy waters. On 2nd March Lord Maitland was able to report, 'The violence of that anger I hope is past, as his Majesty was in about that paper which was given in the 24 of February, and I believe the paper which was given in yesterday to clear our intentions will stop all the violent courses was spoken of either by proclamations or otherwise.'² In the end even this ill wind blew some good to the Scots. 'In the meantime I believe that paper was not altogether fruitless, for the city was content to lend 160,000 lib. to the Parliament yesterday which they refused before. This will I hope do good to our army when we get our proportion of it.'

This contretemps made it urgently necessary that the Reasons in support of their Desire for Uniformity should be formally presented by the Scots commissioners to their English colleagues. The important document was drawn by Henderson with the utmost care, and handed in on 10th March. Its language was far from provocative; it set forth the Scottish case 'in great modesty of speech,' albeit, adds Baillie, 'with a mighty strength of unanswerable reasons.' This State paper is the most illuminating document we possess disclosing the mind of Scotland on the situation in the important year 1641, and it deserves attention. We find Cromwell writing to his friend, Mr. Willingham,

¹ Hailes's Memorials: *Reign of Charles the First*, p. 107.

² The letter is in the Wodrow MSS., and printed in full in *Analecta Scotica* (2nd series), pp. 256-7.

to send him his copy : ' I would peruse it against we fall upon that Debate which will be speedily.'¹ The debate in the Upper House took place in April, and in the Commons about the middle of May. In this document Henderson himself speaks, doubtless after full consultation with his fellow commissioners.² He places before us their view of recent events in Scotland and their conception of how the relations of the two countries should be settled. They declare their purpose to be to ' establish a firm and happy peace,' not a cessation of arms for a time but peace for ever, and ' not peace only but perfect amity and a more near union than before.' ' We are bound as commissioners in a special duty to propound the best and readiest means for settling of a firm peace.' For this end the religious question must be dealt with. ' We know . . . that religion is . . . the base and foundation of kingdoms and states, and the strongest band to tie subjects and their prince in true loyalty and to knit their hearts one to another in true unity. Nothing so powerful to divide the hearts of people as division in religion ; nothing so strong to unite the hearts of people as unity in religion ; and the greater zeal in different religions the greater division, but the more zeal in one religion the more firm union. In the paradise of nature the diversity of flowers and herbs is pleasant and useful, but in the paradise of the Church different and contrary religions are unpleasant and hurtful.' The aim therefore is unity in religion and as a first step to

¹ Carlyle's *Cromwell's Letters and Speeches*, i. p. 85.

² *Arguments given in by the Commissioners of Scotland unto the Lords of the Treaty* (1641). Adv. Lib. The Paper is also to be found under the title *Argument Persuading Conformity of Church Government*.

that 'one form of Church government in all the Churches of his Majesty's dominions.' The fair vision before their eyes was that of the Jewish king and people worshipping together: that 'king, court and people may without all scruple of conscience be partakers of one and the same form of divine worship, and his Majesty with his court may come to the public assembly of the people and serve God with them according to the practice of the good kings of Judah.'

No dissent or discord must be allowed to disturb the harmony. 'The names of heresies and sects, of Puritans, Conformists, Separatists . . . shall be heard no more. Papists and recusants shall despair of success to have their religion set up again, and shall either conform themselves or get them hence.'

The accomplishment of such an end may properly be sought by political methods. 'This unity of religion is a thing so desirable that all sound divines and politicians are for it where it may be easily obtained and brought about.' Accordingly they go on to express approval of the aim of King James's policy. 'None of all the Reformed Churches . . . are at so great a difference in Church government as these two kingdoms be which are in one island and under one monarch—which made King James of happy memory to labour to bring them under one form of government.' But 'all the question is, Whether of the two Church governments shall have place in both nations (for we know no third form of government of a National Church distinct from these two).' King James was right in his aim, he was wrong only in selecting the wrong Church government to be the government for the two nations. If King Charles will only adopt the course

now recommended all will be well. 'If it shall please the Lord to move the king's heart to choose this course he shall in a better way than was projected accomplish the great and glorious design which King James had before his eyes all his time, the unity of religion and Church government in all his dominions.' The course suggested is to cast out episcopacy from the Church of England and remodel it after the pattern of the Church of Scotland. Only by this means is there any prospect of peace. 'The government of the Church of Scotland is the same with the government of all the Reformed Churches' except that of England, where 'the government of the Church was not changed with the doctrine at the time of the Reformation.' 'The prelates of England . . . have left nothing undone which might tend to the overthrow of the Church of Scotland': their hostility arises 'from that opposition which is between episcopal government and the government of the Reformed Churches by Assemblies.' The Church of Scotland, on the contrary, 'never had molested them either in the doctrine, worship, ceremonies or discipline of their Church, but have lived quietly by them, kept themselves within their line, and would have been glad to enjoy their own liberties in peace.' But 'we cannot conceal our minds but must declare—not from any presumptuous intention to reform England but from our just fears and apprehensions—that our Reformation which hath cost us so dear and is all our wealth and glory shall again be spoiled and defaced from England . . . if episcopacy shall be retained' there. This conclusion is deduced from Scotland's recent experience. 'The Church of Scotland hath been

continually and many sundry ways vexed and disquieted by the bishops of England.' In James's time 'by the continual and restless negotiation of the prime prelates in England with some of that faction in Scotland both before the coming of King James into England and since his coming; till at last a kind of episcopacy was erected there by the power of the prelates of England. They rested not here but proceeded to change the form of divine worship, and for many years bred a great disturbance both to pastors and people by five articles of conformity with the Church of England' (the Articles of Perth). Then in Charles's time: 'Having in the former prevailed and finding their opportunity and rare concourse of many powerful hands and heads ready to co-operate, they made strong assaults upon the whole external worship and doctrine of our Church by enforcing upon us a popish Book of Common Prayer for making Scotland first as the weaker, and thereafter England, conform to Rome; and upon the consciences, liberties and goods of the people by a Book of Canons and Constitutions Ecclesiastical, establishing a tyrannical power in the persons of our prelates, and abolishing the whole discipline and government of our Church without so much as consulting with any Presbytery, Synod or Assembly in all the land.'

'The Church of Scotland had abjured episcopal government and by solemn oath and covenant divers times before and now again of late has established the government of the Church by Assemblies. . . . Our late oath was nothing but the renovation of our former oath and covenant which did bind our Church before but was transgressed by many by means of the prelates. It

would seem that limitations, cautions, and triennial parliaments may do much, but we know that fear of perjury, infamy, excommunication, and the power of a National Assembly, which was in Scotland as terrible to a bishop as a parliament, could not keep our men from rising to be prelates. Much is spoken and written for the limitations of bishops, but what good can their limitation do to the Church if ordination and ecclesiastical jurisdiction shall depend upon them and shall not be absolutely into the hands of the Assemblies of the Church ? ’

To the English this was no convincing argument ; they replied that if episcopal uniformity was unjust to Scotland, presbyterian uniformity was equally unjust to England. The Scots had no difficulty in disposing of that objection. They distinguished ‘prelatical conformity’ from ‘presbyterial uniformity.’ The latter was grounded upon and warranted by the Word of God. There was not ‘any substantial part of the Uniformity according to the Covenant which is not either expressly grounded upon and warranted by the Word of God or by necessary consequence drawn from it, and so no commandment of men but of God.’¹ The former was imposed by the mere will and authority of the lawmakers. ‘They imposed upon others ceremonies acknowledged by themselves to be indifferent. Our principle is that things indifferent ought not to be practised to the scandal and offence of the godly.’²

Although the attempt to overthrow the Church of Scotland had proved too great a task for the king, there is no hint in this document that Hender-

¹ George Gillespie, *A Treatise of Miscellany Questions* (1649), chap. 15.

² *Ibid.*

son anticipated any great difficulty in overthrowing the Church of England. That matter is calmly disposed of in a single word: 'the cause being taken away, the effects will cease and the peace shall be firm.'

It is plain that even so sagacious a man as he had been carried off his feet by the presbyterian sentiment surrounding him in London, when he could write in a grave public document: 'We conceive so pious and profitable a work . . . without forcing of consciences seemeth not only to be possible but an easy work.'

Parliament was very far from being of the same mind. The Scottish plan was courteously but firmly put aside, and a resolution passed by the Commons in these terms: 'This House doth approve of the affection of their brethren of Scotland in their desire of a conformity of Church government between the two nations, and doth give thanks for it. And as they have already taken into consideration the reformation of Church government, so they will proceed therein in due time as shall best conduce to the glory of God and peace of the Church.' Beyond this position Parliament refused to move. Words to the same effect were inserted in the Treaty as ratified by bill in August 1641. There for the present the matter rested.¹

An event occurred in 1641 which alone would make that year memorable, and which must find a place in the record of Henderson's life in London at that time. A Petition was presented to Parliament, remarkable in itself and remarkable for Henderson's connection with it. It bears the date

¹ Dr. W. A. Shaw, *A History of the English Church during the Civil Wars and under the Commonwealth*, 1. chap. i.

1641, and the narrative shows, from its reference to 'the daily happy expected accord between us and the Scots,' that it was written while the treaty with Scotland was still under discussion and the Scots commissioners were still in London.

The petitioner was William Castell, a Church of England clergyman, parson of Courtenhall in Northamptonshire. The purpose of the Petition was 'for the propagating of the Gospel in America and the West Indies and for the settling of our Plantations there.' In order to commend his Petition to Parliament he secured the approval of seventy English divines in London and various other places, many of them names of distinction. But more influential than any of these with the English Parliament at that hour was the Scotsman, Alexander Henderson. Castell hastened to secure his support and that of his colleagues, and was able to submit his Petition bearing on its title-page the following words: 'Which Petition is approved by seventy able English Divines: Also by Master Alexander Henderson and some other worthy Ministers of Scotland'—a remarkable sidelight on the position which Scotland and her representative man then occupied in the eye of England, and the favour with which they were regarded.

The Petition itself is in the first place a plea for Christian missions to the heathen, followed by a plea for the strengthening of the Colonies and the expansion of England in America. The religious motives for missionary work are first dwelt on: 'A greater expression of piety there cannot be than to make God known where He was never spoken nor thought of, to advance the sceptre of Christ's kingdom. And now again to reduce those who at

first were created after the image of God from the manifest worship of devils to acknowledge and adore the blessed Trinity in Unity, to do this is to be the happy instruments of effecting those often-repeated promises of God in making all nations blessed by the coming of Christ and by sending His Word to all lands; it is to enlarge greatly the pale of the Church, and to make those who were the most detestable synagogues of Satan delightful temples of the Holy Ghost.'

Then he deals with the necessity for undertaking the work. Spain is in possession of a great part of the American territory, but the Spaniards' well-known cruelty unfits them for this task. 'The Spaniard boasteth much of what he hath already done in this kind, but their own authors report their unchristian behaviour, especially their monstrous cruelties to be such as they caused the Infidels to detest the name of Christ.' Besides, 'neither could they impart unto others the Gospel in the truth and purity thereof, who have it not themselves but very corruptly, accompanied with many idle, absurd, idolatrous Inventions of their own.' Although some of the reformed religion, English, Scottish, French, Dutch, have already settled in those parts, they are of no account for this purpose, for they are 'but in the skirts of America where there are but few natives.'

Then he turns to political considerations. The weakly settled English Plantations will not long be able to hold their own against the Spaniard. 'There is little or no hope our Plantations there should be of any long continuance, but this is evident that the proud superstitious Spaniard will spare them no longer than shall seem good.'

In the judgment of most judicious travellers they may easily enough suppress and destroy them. In the interests of the liberties and lives of our countrymen there, as well as for the progress of the Gospel, there should be such a speedy supply of colonists as may secure them against the now expected cruelty of the Spaniard.

The petitioner supports his argument by two further considerations : (1) the temporal benefits likely to accrue to this kingdom, and (2) the ease with which his proposals may be carried out. The first makes quaint reading to-day. It is that this country will find in the Colonies a needed outlet for her surplus population. 'When a kingdom beginneth to be over-burdened with a multitude of people (as England and Scotland now do) to have a convenient place where to send forth such colonies is no small benefit.' This at a time when the population of England was less than five and a half millions, and that of Scotland about a million ! The parts of America between the degrees of 25 and 45 north latitude are at this time even offering themselves to us to be protected by us ; 'a very large tract of ground containing spacious, healthful, pleasant and fruitful countries, not only apt, but already provided of all things necessary for man's sustentation, corn, grass and wholesome cattle in good competency, but fish, fowl, fruits and herbs in abundant variety.' Virginia he describes as a land flowing with milk and honey. 'We shall find there all manner of provision for life : besides merchantable commodities, silk, vines, cotton, tobacco, deer-skins, goat-skins, rich fur, and beavers good store, timber, brass, iron, pitch, tar, rosin, and almost all things necessary for shipping, which if

they shall be employed that way they who are sent away may (with God's blessing) within short time in due recompence of their setting forth return this kingdom store of silver and gold, pearls and precious stones ; for undoubtedly (if there be not a general mistake in all authors who have written of these places) such treasure is to be had, if not there, yet in places not far remote where as yet the Spaniard hath nothing to do. And in case the Spaniard will be troublesome to our Plantations, or shall (as is generally conceived) be found an enemy to this kingdom, there is no way more likely to secure England than by having a strong navy there ; hereby we may come to share, if not utterly to defeat him of that vast Indian treasure where-with he setteth on fire so great a part of the Christian world, corrupteth many Counsellors of state, supporteth the Papacy, and generally perplexeth all reformed Churches. Nor need any scrupulous query be made whether we may not assault an enemy in any place, or not esteem them such as shall assault us in those places, where we have as much to do as they. The Spaniard claimeth indeed an interest little less than hereditary in almost all America and the West Indies, but it is but by virtue of the Pope's grant, which is worth nothing, as was long since determined by Queen Elizabeth and her Council ; so as for the Spaniard to debar us in the liberty of our Plantations, or freedom of commerce in those spacious countries, were over proudly to take upon him, and for us to permit it were over-much to yield of our own right.'

The petitioner's next point is the ease with which his proposal may be carried out. That turns on

England's sea-power, which she has and ought to use. 'Your Petitioner conceiveth there is no great difficulty in the preparation here, or tediousness in the passage thither, or hazard when we come there. The preparation of men and shipping is already made, and as for money it is in the power of this honourable House to give sufficient, without any grievance or dislike of the Commonwealth. And as for the passage, how can it be thought either tedious or dangerous, it being ordinarily but six weeks' sail, in a sea much more secure from pirates and much more free from shipwreck and enemies' coasts than our ten or twelve months' voyage into the East Indies. And as for our good success there, we need not fear it. The natives being now everywhere more than ever, out of an inveterate hatred to the Spaniard, ready and glad to entertain us. Our best friends the Netherlanders being with eight and twenty ships gone before to assist and further us. And which is much more, our going with a general consent in God's cause, for the promoting of the Gospel and enlarging of His Church may assure us of a more than ordinary protection and direction.'

Castell's Petition was a sign of the earnest spirit of religious reform and revival then stirring in England and Scotland, and may be said to be a landmark in the history of Protestant missions. The evangelistic mission of the Church was made prominent then, as it has been in all times of religious revival. Dr. Hill one of the divines consulted by the Lords' Committee 'on innovations concerning religion,' afterwards a member of the Westminster Assembly, preached to the House of Commons on 1st July 1642 on the state of the Church and

religion, and one of his suggestions was, 'What if there be some evangelical itinerant preachers sent abroad upon a public stock to enlighten dark countries?'¹ It has been said that Castell's Petition is the first evidence of any desire to urge upon the legislature of England a regard for the spiritual condition of her colonies.² It is true that the early Puritan emigrants to America adopted from the beginning, both in Virginia and Massachusetts, as part of their religious colonial programme the conversion of the native heathen. The device on the seal of the Massachusetts Company, which obtained a Royal Charter from Charles I. in 1628, was an Indian with the words in his mouth, 'Come over and help us,' and the charter itself bore 'that the people from England may be so religiously, peaceably and civilly governed as their good life and orderly conversation may win and incite the natives of the country to the knowledge and obedience of the only true God and Saviour of mankind and the Christian faith.' But little or nothing was done to give effect to these good intentions. Other influences were at work, and instead of Indian missions there was war and bloodshed between the Indians and the colonists. Official religion in the time of Laud was concerned with very different matters. The severities of the Star Chamber and the High Commission Court had their counterpart in like needs in Virginia, and produced like consequences. It was left to one devoted man, John Eliot, a pastor in New England, to attempt on his own personal initiative the first

¹ Mitchell, *The Westminster Assembly*, p. 101.

² J. S. M. Anderson, *History of the Church of England in the Colonies* (1856), ii. p. 10.

missionary enterprise among the Indians. His example was followed by others. He was the first evangelical missionary, and his work attracted attention in England and stimulated the missionary spirit there. Castell's Petition may well be one of the results. It in turn apparently elicited from Parliament in 1648 a proclamation or manifesto in favour of missions, which was to be read in all the churches and which asked for mission collections.¹ Out of this arose in 1649 the Corporation or Society for the Propagation of the Gospel in New England. And that body, according to Warneck, was probably the mother of the great Society for the Propagation of the Gospel in Foreign Parts, founded in 1701. Another fruit of the parliamentary manifesto of 1648 may possibly be seen in a vast and ambitious scheme of missions put forth by Cromwell. According to it there was to be a *congregatio de fide propaganda* in the interest of Protestant missions. The whole earth was divided into four mission provinces: the first two embraced Europe, the third and fourth the rest of the world. The death of Cromwell prevented anything being done to put the scheme into operation, but it remains a striking example of the public acknowledgment of the duty of missions.

Castell's Petition is highly significant from another point of view. It is probably the most remarkable example that exists of co-operation between High Churchmen, Puritans, and Presbyterians for a great missionary enterprise. Its signatories included staunch episcopalians like Robert Sanderson,

¹ Warneck's *History of Protestant Missions*, Smith's trans., 1884, p. 35; Robson's ed., 1906, p. 47. (Warneck gives the date of Castell's Petition erroneously as 1644.)

afterwards Bishop of Lincoln, and Daniel Featly, and leaders of the Puritan party such as Joseph Caryll, Edmond Calamy and Stephen Marshall. These men and the Scottish presbyterians spoke with one voice on the high and sacred object—higher than all their differences—which made them for the moment one. ‘We whose names are here underwritten,’ wrote the English divines, ‘having been upon occasion acquainted with a motion intended to be made by Master William Castell to the high and honourable Court of Parliament now assembled concerning the propagation of the glorious Gospel of Christ in America, as we do well approve of the motion so we do humbly desire his reasons may be duly considered.’ Henderson, Blair, Baillie and Gillespie added: ‘The motion made by Master William Castell for propagating of the blessed Evangel of Christ our Lord and Saviour in America we conceive in the general to be most pious, Christian and charitable, and therefore worthy to be seriously considered of all that love the glorious name of Christ, and all things necessary for the prosecution of so pious a work to be considered by the wisdoms of churches and civil powers.’

The most striking fact is not that men of so widely divergent theological and ecclesiastical parties should have so united, but that they should have done so at such a time. Already in 1641 the atmosphere was highly charged with the fierce currents which tore England asunder in civil strife in the following year. It would not have been surprising if churchmen in hostile camps had so distrusted each other as to find it impossible to work together. Castell’s Petition is a refreshing

proof that there were earnest men on both sides who up till the last cherished a spirit of conciliation and strove for peace.

11. THE REVOLUTION TRIUMPHANT : CHARLES IN SCOTLAND

August—November 1641

The Church now desired Henderson to take the leading place as Moderator of its General Assembly for the second time. He had been its leading spokesman in London, and was more than ever before its representative man. Charles had intended to nominate the Earl of Southesk as commissioner, on Traquair's suggestion, but Henderson dissuaded him from appointing a man whom the Covenanters did not trust, and Lord Wemyss was appointed instead. The Assembly met in St. Andrews on 20th July. Parliament had been sitting in Edinburgh since the 15th, and it sent a formal request to the Assembly to adjourn its meetings thither for the convenience of those who were members of both bodies. Andrew Ramsay, the former Moderator, continued to act in that capacity simply for the purpose of adjourning to Edinburgh; when the Assembly met there on 27th July, Henderson had returned and was elected to the chair.

When Henderson quitted London in the latter part of July 1641, the Scottish revolution may be said to have been complete. Charles had conceded nothing till he was no longer able to refuse anything. Now, strangest spectacle of all, he evinced a desire to cultivate the friendship of the triumphant 'rebels'; he was impatient during the summer

months to conclude the treaty negotiations and hurry off to Scotland, and when August came he could no longer be restrained. The centre of political interest was suddenly shifted to Edinburgh, whither Charles went. Was it in order to crown by his presence the rejoicings of his Scottish subjects over the liberties they had just wrung from him? The English Parliament did not think so. With eyes of suspicion and alarm it followed him to the north. It sent some of its members of whom Hampden was one to keep a watch on this suspicious fraternising. But Charles had not changed. He had closed one chapter of his career, he was opening another and more terrible one.

The Assembly sat in Greyfriars church from 27th July till 9th August. It was notable for two things, both suggestive of the new ideas that were in the air. Henderson brought with him a letter from a number of Church of England ministers in and about London addressed to the Assembly. It contained the first formal expression, at least on the side of England, of the solidarity of interest on the part of the Churches of both countries. 'These Churches of England and Scotland,' they said, 'may seem both to be embarked in the same bottom, to sink or swim together, and are so nearly conjoined by many strong ties not only as fellow members under the same head Christ, and fellow subjects under the same king, but also by such neighbourhood and vicinity of place that if any evil shall infest the one the other cannot be altogether free.' The writers went on to say that their hopes had been raised of removing the yoke of episcopacy, and sundry other forms of Church government had been projected to be set up in its

room. One of these was Congregationalism, according to which the whole power of Church government rested with the majority of each congregation, all outside jurisdiction of presbyteries, synods, or Assemblies being rejected as mere usurpation. The writers asked the judgment of the Assembly to aid them in settling the question among themselves, the rather because they had heard that some leaders of the Church of Scotland inclined to approve of that way of government. This last was a reference to a matter which had caused no little trouble in Scotland for some years past, the practice namely of private meetings or conventicles of laymen for religious edification apart from the regular worship of the Church and presence of the pastor. The question whether or not such meetings should be permitted had caused much discussion in the Assembly of 1638, and at the Aberdeen Assembly of 1640, and it had come up again in the present year, when a compromise had with difficulty been arranged. In their answer the Assembly were unanimous in repudiating Congregationalism. They declared that 'the execution of ecclesiastical power and authority properly belongs to the officers of the kirk, yet so that in matters of chiefest importance the tacit consent of the congregation be had before their decrees and sentences receive final execution,' but 'the officers of a particular congregation may not exercise this power independently, but with subordination unto greater Presbyteries and Synods, provincial and national.' This they regarded as 'grounded on the Word of God and to be conform to the pattern of the primitive and apostolical kirks, and without which neither could the kirks

in this kingdom have been reformed, nor were we able for any time to preserve truth and unity among us.'

In addition to answering the question referred to them by the English brethren the Assembly went further, and, in language which we can recognise without difficulty as Henderson's, declared that recent experience had shown how desirable it was that there should be in the kirks of England and Scotland one Confession, one Directory for public worship, one Catechism, and one form of kirk government. It was to this uniformity they looked as 'a sure foundation for a durable peace,' as a protection against 'the rising or spreading of heresy and schism amongst themselves and of invasion from foreign enemies.'

So eager was Henderson at this time to advance his favourite policy that he brought forward a motion for drawing up a new Confession of Faith, a Catechism, a Directory of public worship, and a Platform of kirk government. The *raison d'être* of this great scheme was to secure common ground on which the Churches of England and Scotland might agree. The Assembly approved and passed an Act in terms of Henderson's proposal. It also laid the work on the shoulders of the only man able, if any man was able, to carry it out. The scheme was the first attempt to give form and shape to the policy of Uniformity, but it was crude and ill-digested, and he soon laid it aside. Further reflection, as we shall see, satisfied him that this was the wrong way to go about the business. England must, he saw, decide these great matters for herself; it would be time enough after that for Scotland to see if she could come to an agreement

with England. There must be no attempt to impose a Scottish creed or church system on England.

That his work was already proving too heavy a burden is evident from the desire which Henderson pressed upon this Assembly for liberty to leave Edinburgh. He pleaded that his voice was too weak for any church in the town and that he never enjoyed health there. He recalled also that he had stipulated in leaving Leuchars that he should be free to remove from Edinburgh 'when the public commotions were settled' if he found the town disagreed with his health. That time seemed now to have arrived, and he asked the Assembly to release him. The College of St. Andrews made him a tempting offer of its Principalship, but he put it aside: if he left Edinburgh it would be to retire to 'some quiet little landward charge.' What a strangely unambitious man; small wonder that his brethren treated his proposal at first as a jest. Edinburgh took alarm at the prospect of losing him; it was solicitous for his health, and would buy him a house 'with good air and yards,' and he might preach only when he pleased. He yielded to his people's importunity, and agreed to remain with them as long as health permitted. His future was strangely different from what he anticipated in 1641. He had only five years to live, and though he died minister of the High Church, little of those five years was spent in the work of his parish, little indeed in Edinburgh or in Scotland. There was to be no release for him as long as he lived from the burden of public affairs, which grew heavier with the years.

We are not in doubt where the house with good air and yards was found for him. It was in the

High School Yards, on the ground that formerly belonged to the Blackfriars monastery.¹ It was here that he wrote his will a few years later 'near to the High School.' This situation on the south side of the Cowgate was at that time the mildest and most sheltered part of the city. When George Gillespie's health gave way some years later, the Town Council provided for him also a house in the same favoured and healthful district, 'a house of the best air and other commodities.'²

Up till this time Henderson seems to have occupied a house in Liberton's Wynd on the south side of the Lawnmarket, running between it and the Cowgate,³ a well-known thoroughfare of old Edinburgh long since swept away.⁴

King Charles entered Edinburgh on Saturday, 14th August. Parliament had already been sitting for a month in the new Parliament House. On Tuesday the 17th he appeared there and made a gracious speech. He had last met a Scottish Parliament in 1633: with what feelings must he now have faced that of 1641? The world had been turned upside down in the interval. Laud, then all-powerful, was now a prisoner; his ministers had been struck down, his policy had come to nought, power and prerogative had in large measure been wrested from him. Yet Charles put a brave face on it. He said he had come out of love to his native country to perfect what he had promised, to end distractions. He hastened to touch with his sceptre all the Acts of Parliament in terms of

¹ *Town Council Records*, vol. 16, fol. 166, 169.

² *Ibid.*, vol. 17, fol. 58.

³ *Ibid.*; John Hay's *Protocols*, vol. iii. p. 54; *Treasurer's Accounts*, 1638-9 and 1641-2.

⁴ See Daniel Wilson's *Memorials of Edinburgh*, i. pp. 180, 181.

the treaty. He accepted Henderson as his chaplain, making no complaint of the want of a liturgy. 'Master Henderson is in great favour with the king,' wrote an Englishman in Edinburgh to his friend in London on 1st September, 'and stands next to the chair in sermon time. His Majesty doth hear two sermons every Sunday beside week-day Lectures, but there is no Service at all read, but only a Psalm before Sermon.' Within a few days of his arrival the leading non-covenanting nobles, Lennox, Hamilton, Morton, Roxburghe and others signed the Covenant. But it was not for such things that Charles came to Scotland. He was plotting a counter-revolution. As early as May, when his prospects looked better than they did now, he had decided to go north. Montrose and his friends had been drifting further apart from the rest of the Covenanting party, and had formed a design to attack Argyll and Hamilton (who had allied himself with Argyll) if the king were present to give his countenance. He and Napier his brother-in-law had been in secret correspondence with Charles, and from them apparently came the suggestion that he should appear in Scotland while Parliament was sitting. But disappointment dogged the steps of Charles's hopes and plans. Montrose's plot leaked out prematurely, and on 11th June he and his fellow-plotters were arrested and thrown into prison in Edinburgh Castle. Another promising scheme had also come to grief. Rothes had been won over in England to the Court, and the king hoped to use him for his own purposes among the Scottish nobles. But Rothes fell sick and lay dying at Richmond at the very time when Charles hastened

north. So the king had to make the best of it with Argyll and the others whose influence was paramount in Scotland. For a time all went well. On 31st August there was a great banquet in the Parliament House given by the Provost of Edinburgh with much loyal speech-making and general rejoicing. Charles believed he was really winning the affections of Scotland and that his difficulties were now disappearing. But tough disputes soon arose over the right to make appointments to the offices of State and the seats in the Privy Council, in fact all political and judicial offices. The king maintained that the right of nomination to those offices was a special part of his prerogative. Parliament claimed that the appointments were by law and old custom made only with their advice. The real question of course was who was to rule Scotland. Charles gave way, and an Act was passed that the king was to choose his officers subject to the advice and approbation of Parliament. Then followed a long struggle over the nominations for the offices. Loudoun was made Chancellor. Charles nominated for the office of Treasurer first Morton, then Almond a friend of Montrose. Both were fiercely opposed, and finally a commission of five was appointed, Argyll being one. Of the Privy Council nearly a third were new members. Wariston became a judge and was knighted. John Campbell, Lord Loudoun the covenanting Chancellor was made an earl, Leslie the covenanting general was created Earl of Leven, Argyll the covenanting parliamentary leader a marquis. A shower of titles descended on Scotland; 'sundry earls and lords, but a world of knights were created.' Henderson was appointed dean of the Chapel Royal at Holyrood with a

stipend of 4000 merks. A covenanting victory in truth, complete in form as well as in fact. The Opposition which had struggled into existence in the winter of 1637 had now crossed the floor and was installed in office, the Privy Council of those days had vanished from the earth.

But had Charles after all won Scotland's heart? Did Scotland trust her king? When he left on the 16th of November he went empty-handed, a deeply disappointed man. His hopes of help from that country were at an end. It was true Montrose and his fellow-plotters and two incendiaries, Sir Robert Spottiswoode and Sir John Hay, were liberated, thanks to Argyll's advice supported by Henderson. But Charles had gained nothing else. He had formed no party in Scotland, even Hamilton his friend had, for the time at least, gone over to Argyll and the Parliament. His crushing disappointment had been the disbanding of the Scottish troops, save three regiments, in the end of August. There is little doubt that Charles's main purpose in this northern excursion was to secure control of the military force which Scotland commanded. With such a weapon he thought he could make short work of the English Parliament. It had been suggested that 4000 or 5000 of the troops should be kept under arms for a time, and Charles was sanguine enough to believe they would be placed at his disposal. A counter-revolution with the aid of the Scottish Parliament was surely the wildest of delusions. But that dream was now at an end. In spite of loyal banquets and showers of titles there lay deep in the heart of Scotland an incurable distrust of the king. The obscure plot which figures in history under the colourless title

of The Incident, whether the king was an accomplice or not, appeared to Scotsmen as the work of his friends, a blow aimed at Argyll and therefore at the Parliament. It failed, and left Argyll more powerful than before. Then came, on 28th October, the thunder-clap of the Irish rebellion and the massacre of Protestants in Ireland. The public mind in Scotland and England was startled and agitated with stories of popish plots; many were ready to believe that 'the Irish rebellion and new plots in England against the Parliament were invented by the Queen and not against the king's mind.'¹

Under that dark cloud Charles quitted his northern kingdom for the last time.

¹ Baillie's *Letters* (Laing's ed.), i. p. 397.

IV

THE REVOLUTION IN ENGLAND

1. IS SCOTLAND TO REMAIN NEUTRAL ?

IF Henderson had committed his inmost thoughts to paper and that private diary were open before us to-day, we would probably have found that his deepest longings at the close of 1641 were for peace for his country and a life of retirement for his remaining years. He was now fifty-nine, the last years had been full of incessant labour and heavy responsibilities, he had no personal ambitions to gratify and his health was far from robust. He had been so fortunate as to win the confidence of church and nation, even the king whom he had opposed had paid him respect and honour. But success, no less than failure, had its penalty to pay : it had stirred into activity the meaner passions of smaller men around him. The voice of detraction and envy began to be heard. It was hinted he was too moderate in his views and language, his friendly relations with the king had made him too tender and sparing in his public utterances, besides, had he not accepted from Charles an office with a pension ? An opportunity soon came to the extremists to put a public slight upon him. A new commission was appointed by Parliament in November 1641 to proceed to London, and Henderson was passed over for the office of chaplain.

He submitted to these pinpricks in silence; they did not change or affect his course of action.

The situation for Scotland as the months wore on became one of increasing delicacy and difficulty. In England the state of matters was already alarming. Alienation between king and Parliament grew daily wider. The Grand Remonstrance passed the Commons by a majority of eleven after a great debate on 22nd November: then for the first time the hitherto united House fell asunder, the Puritan and Royalist parties sprang into being, and men knew that civil war was approaching. The king's answer was the mad attempt to arrest the Five Members on the memorable 4th of January 1642, then he left London to prepare for war: in February the queen sailed for the Hague, carrying with her the crown jewels to pawn them for arms and soldiers: in March the king made his headquarters at York and summoned his friends round him: after fruitless negotiations over the control of the militia and the responsibility of ministers to Parliament he raised the royal standard at Nottingham on 22nd August and civil war began.

Scotland looked on, a deeply interested and anxious spectator. Every reasonable man there desired to keep clear of the quarrel, and if possible to aid the cause of peace. It was already co-operating actively with the king and the English Parliament in dealing with the Irish rebellion. The new Privy Council at its first meeting on 19th November was met with applications from both for help. Energetic measures were taken without delay to raise a levy of 5000 men for Ireland, and the Council bound itself to raise 5000 more; by

the month of February the first 5000 had been equipped and transported to Ulster. It also dispatched to London the Earls of Lothian and Lindsay (two of the parliamentary commissioners) in answer to the king's request. Their instructions were to see to the carrying out of the Treaty and to co-operate in the Irish business, but they had a wider mandate, 'to labour by all means to keep a right understanding betwixt the king's Majesty and his people and betwixt the two nations . . . and to proffer your mediation for removing all jealousies and mistakes, which may arise betwixt His Majesty and that kingdom.' Scotland, in other words, was ready to mediate between king and Parliament. But the rôle of peacemaker was not an easy nor a grateful one. The Scots commissioners managed things so badly in their first attempt at mediation that they drew from Charles a curt intimation to the Privy Council on 8th February, 'that the commissioners should be desired by the Council not to meddle betwixt the king and Parliament of England without his Majesty's knowledge and approbation.' In April both king and Parliament found it to their interest to appeal to the Council. Each side wished to present its own view of the quarrel in the best light to the people of Scotland. It was important to both to secure the goodwill of Scotland, and a diplomatic rivalry went on between them for that end. The Council, still bent on holding the balance even, were in no little embarrassment. To both they used the language of courtesy and conciliation. They were confident that Parliament 'would leave no fair and good means unessayed to induce His Majesty to return unto them, that there may

be a better understanding betwixt him and his people, and they honoured with his royal presence and strengthened by his sceptre and authority.' To Charles their humble desire was 'that His Majesty may be pleased to hearken to the earnest desire and hearty invitation of his people in returning to his Parliament which, as it is his great, so it is his best and most impartial council.' On one point, however, the Privy Council were quite definite. The king had announced his intention of going to Ireland in person : the Council agreed with the English Parliament in dissuading him from that step. They hoped that he might be pleased 'to hear and consider the advice and counsel of his Parliament of England as being more nearly concerned in the matters of Ireland,' and they added an entreaty that all means might be forborne 'which may make the breach wider or the wound deeper.' This was on 22nd April. The Council proposed to send up the Chancellor Loudoun to York, but Loudon's mission did not prosper, and he was sent back to call a special meeting of the Council for 25th May. This Scottish neutrality was not in the least to Charles's liking. The outbreak of war was now imminent, and he was impatient that Scotland should definitely declare herself on his side. Imposing gatherings of royalist members of Council and their friends were held at Edinburgh—just the men who were eyed with suspicion as 'incendiaries,' 'banders,' and 'plotters,'—the evident purpose being to overawe the Council and obtain a vote for the king. But Wariston too was on the ground to check them. He was sent down by his fellow commissioners in London who were in touch with the parliamentary leaders,

The Chancellor read two documents from the king, both of them sharply expressing his displeasure at the Council's attitude, and plainly pointing to the line of action he expected. 'We desire not that you should intermeddle so far as to take upon you to decide the differences betwixt us and our Parliament, but that you will labour to inform yourselves of the true estate of the question betwixt us and our Parliament . . . that you may be the more able so to express your affection to our service as that you will not be willing to see us suffer in our honour or authority.' Again: 'We did not require of you that ye should sit as judges upon the affairs of another kingdom. We only intend to have both our sufferings and our actions, as they are expressed in many papers which have passed betwixt us and our Parliament, made thoroughly known to you that ye may clearly see that we have been so far from wronging our Parliament of England that we have given them all satisfaction. We will not put you in mind of your natural affection towards us, which we know will rather be kindled than extinguished by our distress.' A declaration from Parliament to the Council brought down by Wariston merely thanked the Council for the advice they had given the king and entreated them to continue their good advice, and to suppress the attempts of those who would persuade them to interpose in the unhappy differences in any such way as might weaken the confidence or endanger the peace of the two kingdoms. But the stir in the camp of the king's friends, and their attendance in force at the Council meeting of 25th May, aroused the other party to action. On the 31st a formidable petition was presented in the name of a large

number of noblemen, gentlemen, burgesses, and ministers ; they reminded the Council of the treaty of peace recently concluded between Scotland and England, and implored them to shun any engagements direct or indirect to the king, by which the peace might be endangered, without consent of Parliament. The bold attempt to commit Scotland to active support of Charles in the approaching war failed. There was no question at this time of siding with the Parliament, and no such request had been made.

This attitude of detachment became every day more difficult to maintain. When the General Assembly met at St. Andrews on 27th July it found itself courted by both parties. They knew that the Assembly represented Scottish opinion more fully than either Parliament or the Privy Council. The Assembly was flattered by such attentions. 'We thought ourselves much honoured,' says Baillie, 'by the respectful letters both of the king and Parliament to us. It seems it concerned both to have our good opinion.' The king's letter promised that if anything was found amiss he would reform it in a fair and orderly way. Parliament deplored the growing distractions of England and the threatened civil war ; they desired a reformation both in Church and State by peaceable parliamentary means, but they had been interrupted by 'the plots and practices of a malignant party of Papists and ill-affected persons' especially of clergy, by the incitement of bishops and others. But they did not doubt they would settle matters both in Church and State 'by an advancement of the true Religion and such a Reformation of the Church as shall be most agreeable to God's Word.'

It is noticeable that they were careful to use only general language on the question of Church reform. Henderson was appointed to answer both letters. The burden of the answer in each case was to renew the proposition for beginning the work of reformation by having a uniformity of Church government between the two nations. Until there was one form of ecclesiastical government there could be no unity in religion or in Confession, but when the prelatical party was put out of the way, 'the work will be easy without forcing of any conscience to settle in England the government of the Reformed kirk by Assemblies.' A third letter came to the Assembly from some ministers in England. They used no ambiguous language, but declared it to be the desire of the most considerable part among them that the presbyterian government might be established among them, and that they might have one Confession of Faith and form of government. That the Assembly meant to press on this question of Uniformity was shown by their appointing a strong commission 'for public affairs of this kirk and for prosecuting the desire of this Assembly to His Majesty and the Parliament of England.' To this commission were entrusted large powers 'for furtherance of this great work in the Union of this Island in Religion and kirk-government by all lawful ecclesiastical ways.' The first step it took was immediately to petition the Privy Council for their concurrence in approaching the Parliament of England on the subject. The Council concurred in asking Parliament to give the question favourable consideration.

This appeal from Scotland drew from the English Parliament a highly important declaration. In

September 1642 the Commons resolved without a dissentient voice that the existing government of the Church of England must be taken away, and both Houses agreed upon a Declaration to abolish episcopacy and reconstruct the national church by the help of an Assembly of Divines. More than anything they had yet done this was a definite step towards the goal of Uniformity, it registered a long advance upon their attitude of the previous year. ‘ We hope by God’s assistance to be directed so that we may cast out whatsoever is offensive to God or justly displeasing to any neighbour Church, and so far agree with our brethren of Scotland and other reformed churches in all substantial parts of doctrine, worship, and discipline, that both we and they may enjoy those advantages and conveniences which are mentioned by them in this their answer, to the more strict union of both kingdoms . . . more constant security of religion against . . . the Papists and deceitful errors of other sectaries. The main cause which hitherto hath deprived us of these and other great advantages, which we might have by a more close union with the Church of Scotland and other reformed churches is the government by bishops . . . and . . . we do declare that the government by archbishops, bishops, etc., is evil and justly offensive and burdensome to the kingdom, a great impediment to reformation and growth of religion, very prejudicial to the State and government of the kingdom and that we are resolved that the same shall be taken away. Our purpose is to consult with godly and learned divines that we may not only remove this, but settle such a government as shall be most agreeable to God’s holy word, most apt to procure

and preserve the peace of the Church at home, and happy union with the Church of Scotland and other reformed Churches abroad.'

This Declaration was sent in September to the commission of the General Assembly. It does not in words commit Parliament to the Scottish presbyterian system, and it is consistent with the desire, which was still entertained, to reconstruct their Church in an English sense, but we need not wonder that Scotland read it as meaning practical acceptance of her Church polity, accepted it with joy, and set about preparing for actual negotiations.

Henderson's opponents had continued to invent or to magnify causes of complaint against him. That these were petty calumnies may be judged from the fact that the acceptance of his office was cast in his teeth. He might well have ignored such miserable spite, but after enduring his vexation in silence for a time he turned on his tormentors in this Assembly and made 'a long and passionate apology for his actions.' It is painful to read that a man who had rendered such services to his Church and nation should have had to speak of matters so paltry as those which formed the staple of the talk against him. He said that 'what himself had gotten from the king for his attendance in a painful charge was no pension, that he had touched as yet none of it, that he was vexed with injurious calumnies.'¹ He overwhelmed his opponents and so amply vindicated himself that a reaction seems to have set in. His brethren acknowledged his untainted honour and 'his unparalleled abilities to serve the Church and kingdom,' and from that

¹ Baillie's *Letters* (Baing's ed.), ii. p. 48.

day till the end of his life he enjoyed the fullest confidence of both.

Further messages continued to pass between the Council and the rival parties in England, with increasing cordiality on the part of the Parliament, with growing asperity on the part of the king. After the outbreak of war the tension grew sharper, and it seemed inevitable that Scotland would before long in spite of herself be dragged into the conflict. But Scotland herself was divided and the outlook was very grave. How grave may be seen from a remarkable step taken at this juncture by some leading men of moderate opinions on both sides, not only to keep Scotland neutral but to stop the bloodshed which had already begun. Hamilton and some royalist nobles joined with Loudoun, Argyll, Wariston, and Henderson in signing an appeal to the queen then in Holland to come to Scotland, promising that they would concur with her in mediating between the king and Parliament. They assured her of security for her person and the free exercise of her religion for herself and family, and they undertook that if the terms they should agree to propose were rejected by the two Houses they would take sides with the king against them.¹ Surely a desperate remedy for a desperate disease. One circumstance alone could have suggested it. Queen Henrietta was a bold and tireless schemer, and her advice had always been for arbitrary courses, but she was the only person, now that Laud had fallen, who had any real influence over the king. If she could be brought to agree with the Scottish leaders as to terms of peace, Charles's concurrence might be counted on. The scheme was far from

¹ Burnet, *Memoirs of the Dukes of Hamilton* (1677), p. 201.

hopeful, but it was never put to the test. Charles at first welcomed it 'with a deal of joy,' but he drew back on the weak excuse that his affection for the queen made him fear for the safety of her person in Scotland. So passed his last opportunity of help from a united Scotland. On 23rd October the battle of Edgehill was fought. This brought matters to a point. Historians speak of it as an inconclusive fight in which both sides claimed the victory, but the action of the parliamentary leaders reveals their true opinion of their victory. They lost no time in applying to Scotland for military aid; as early as 7th November a long and earnest appeal was sent to the Privy Council. On 5th December there came from the king a defence and apology for his conduct and an appeal to the people of Scotland. Both of these manifestoes were discussed by the Council on 20th December,¹ a day to be remembered because then the Council came to an open split. By a narrow majority it resolved to publish the king's letter alone. This was the signal for an outbreak of agitation: the Church and the great body of the people were determined Scotland should not be committed to fight for the king against the Parliament. Feeling had not run so high since the memorable days of 1637, and it became clear that the Council's action did not have public opinion behind it. On 10th January 1643 it was decided to publish the declaration of Parliament as well, and to make it known that the publishing of any of these papers did not import the Council's approval of them. The heated state of public feeling is reflected in two strongly-worded petitions presented

¹ *Register of Privy Council*, vii, (2nd series), p. 359.

in January from the Commission of Assembly, and in what came to be known as a 'Cross Petition' from the Hamilton party. The Church party asked the Council to concur with them in recommending to the king the policy of Uniformity, and the Council recognising the drift of public opinion agreed to do so.

After the open breach in the Council in December, when Argyll and Hamilton again parted company, it was inevitable that Charles would regard Argyll and the Church party as scarcely disguised enemies. They had subjected him to bitter humiliation; when he had stooped to bid against the Parliament for their support they had not only turned a deaf ear but had shown that their sympathies were on the other side. To approach the king after such treatment was to invite a rebuff or something worse. Yet in February 1643 the Conservators of the Peace, thinking it desirable in view of the state of public affairs that the Scottish Parliament should meet without delay, decided to send Loudoun to Oxford to request the king to summon a Parliament which otherwise would not meet until June 1644. They entrusted him with the still more delicate duty of offering their mediation between himself and the two Houses. The Commission of Assembly prepared a petition for Henderson to present at the same time pressing for Uniformity. The two requests were the two heads of the same policy: a settlement with the Parliament on the footing of uniformity of Church government. Accordingly Loudoun and Henderson appeared in Oxford towards the end of February on their joint mission, but their reception convinced them that they had entered an enemy's headquarters. The Earl of Lanark,

Hamilton's brother, then Secretary for Scotland, had posted off in advance and duly informed the king of the attitude and temper of the prevailing party in Scotland. The Assembly's petition was first disposed of. Clarendon professes that it was 'of a very strange nature and dialect.' The purport of it was 'in all humility to renew the supplication of the late General Assembly and our own former petition in their name for unity of religion and uniformity of Church government in all your Majesty's dominions and to this effect for a meeting of some divines to be holden in England into which some commissioners may be sent from this kirk.' They added one quaint observation which had more truth in it than they knew: 'We are not ignorant that the work is great, the difficulties and impediments many, and that there be both mountains and lions in the way.' The king had been familiar with the request for Uniformity at least since 1641, but he had no hope now, as he had then, of winning the favour of Scotland, and after keeping them cooling their heels for wellnigh two months he bowed out the petitioners in his most lofty and scornful manner, telling them it was unwarranted and unbecoming for them to intermeddle in affairs so foreign to their jurisdiction, 'they should not suffer themselves to be transported with things they did not understand.' Loudoun was treated in a similar fashion. Town and gown took their cue from the Court. Henderson was reviled from the windows when he walked the streets of Oxford, some of his friends seem to have hinted to him that his life was in danger. Clarendon is not surprised that he was subjected to 'those affronts which he

might naturally expect in a University.' In April rumours reached Scotland that the commissioners were ill-treated at Court, and they were at once recalled.

The most interesting event of the Oxford visit was Henderson's meetings with the learned and devout Jeremy Taylor. Taylor was then chaplain to King Charles, and he seems to have thought it his duty to invite Henderson to a public discussion on the merits of *Episcopacy versus Presbytery*. We have an account of the matter in *Mercurius Aulicus*, the newsletter 'Communicating the Intelligence and Affairs of the Court to the rest of the kingdom' and largely filled with the war news of the day. Under date Saturday, 4th March, we find the following: 'It was given out that the Scotch commissioners came to Court with Propositions to destroy Episcopacy in England and to introduce the Scotch discipline: it being unfit that a thing of so great concernment in religion should be accused of Unlawfulness and that in a University and that a public satisfaction should not be required of them who came to be instruments of so great an Innovation. Upon this Doctor Taylor, one of his Majesty's household chaplains who had by his Majesty's command lately published a book to assert the divine right of Episcopacy¹ (being accompanied with a Batchelor of Divinity a man of good fame and learning to attest what should pass in that intercourse) on the 19th of February last went to Master Henderson (who is now here at the Court) and presented him with his book of Episcopacy, and propounded to him three Questions:

¹ *The Sacred Order and Offices of Episcopacy*, published in 1642, is doubtless referred to.

the first asserting the divine right of Episcopacy ; the second the unlawfulness and incompetency of lay elders to the government of a Church ; the third the lawfulness of clergymen's employment in secular affairs if the causes be great and urgent ; and with much civility intreated Master Henderson either to grant those Questions or maintain the contrary in public disputation with him, telling him that it was his duty to give an account and reason of his faith to every one that asked him, that it concerned his reputation not to decline it and his conscience too, inasmuch as if Episcopacy were unlawful it concerned him to use all fair means of converting them from what he thought unlawful ; if it were lawful then to give a reason why he should so greatly innovate in our Church ; that it was by them justly accounted antichristian in the Church of Rome to obtrude her articles upon other Churches, and that he came to do that which in others he truly called antichristian. Upon these and many other incentives he offered him if he would undertake to dispute with him he should choose his own time, his place, the Moderator, his Assessors, and whether he would oppose or answer. But Master Henderson after many diversions, as he was a Commissioner and a Delegate of the Kirk of Scotland, would do nothing without particular commission : but they discovering these to be evasions, the Doctor offering to procure a Delegation from the University under seal or else to dispute with him in any capacity and relinquish the delegation of either part ; at last Master Henderson in plain terms told him he came only upon a bravery and bid him return to them that sent him, and tell them that the Delegate of the Kirk of Scotland, being provoked to a disputa-

tion, durst not undertake him. The Doctor pressed him with many reasons and civil arguments still to undertake it for the public satisfaction, but was answered with a direct negative ; Master Henderson being resolved upon the question that Episcopacy should down whether it were right or wrong.' We could wish we had Henderson's reasons through a less distorting medium, but in any case it ought to be counted to him for righteousness that he declined the invitation to a discussion on this occasion. He was surfeited with controversy, and he had the good sense not to go out of his way to engage in one that was unnecessary and could do no possible good. Happily he had already shown that at a higher call than that of controversy he was very willing to go out of his way.

The Court was alarmed lest Scotland should now take sides with the Parliament, and the commissioners were refused a safe-conduct to London, where they proposed to go on leaving Oxford. Hamilton persuaded the king that he and his friends still had sufficient influence to prevent a break, and with other royalist nobles he hurried north for that purpose.

A strange errand awaited Henderson on his return. Montrose had been living in privacy since his liberation, but it was known that he had gone to meet the queen when she returned from Holland, and had been with her at York. It was known also that his offer to strike the first blow for the king in Scotland had been rejected in favour of Hamilton's diplomatic policy. If at this critical moment he could be won back to his old friends his support would be of great value in the conflict which was now close at hand. At Argyll's instance

offers were made to him of the highest command in the Scottish army next to Leslie. Montrose believed, differing from most of his countrymen, that King Charles could be trusted to stand by the settlement of 1641 even in the event of his success against the English Parliament, and therefore he disapproved of Scotland taking sides against the king in the English quarrel. He did not mean to entertain the offer of Argyll, but he dissembled, he professed scruples of conscience; probably he wanted to keep the Argyll party in uncertainty in the hope that the king might still adopt his advice. He suggested that he wished to have a conference with Henderson on his return from Oxford. Henderson met him on the banks of the Forth near Stirling Bridge, and they conferred together by the waterside for the space of two hours. Montrose was eager for the conference, says Wishart, as he fully expected to fish all their secrets out of him.¹ Their secret had already been disclosed when the offer of a military command was given Montrose. It was Montrose's hand that was shown by his refusal. Scotland was no longer safe for him, and he betook himself to Oxford to the service of a master who did not know how to employ a great soldier—the greatest in his service—when his help might have made all the difference between victory and defeat, but sent him on a mad enterprise when it was too late to avert defeat, but not too late to work deep mischief in Scotland and ruin Montrose himself.

¹ *Deeds of Montrose* (Murdoch and Simpson), p. 30.

2. A 'HARD MORSEL': THE SOLEMN LEAGUE AND COVENANT

On 12th May 1643 a fateful meeting took place of the Privy Council with the Conservators of Peace and the Commissioners for the Common Burdens. They were concerned about the condition of the Scots army in Ireland—these men, 10,000 in number, were now almost starving owing to the failure of the English Parliament to provide for them—as well as about the perils to Scotland from the war in England, and they resolved that the state of public affairs made it necessary that a Convention of Estates, a sort of informal parliament, should be summoned at once. The king had already refused to call a parliament together; they would not wait for his pleasure, but appointed the Convention to meet on 22nd June, and wrote to the king that this step had been found necessary. On 1st June came a long declaration from Charles to the people of Scotland. It was dated 21st April and was evidently the result of the deliberations at Oxford when Lanark was there present. The Hamilton party had not neglected to point out to Charles where the real weakness of his cause in Scotland lay. It lay in Scotland's distrust of himself. She could not forget that every concession had been wrung from Charles, that he had twice drawn the sword in order to crush her, and that it was in large measure to the sympathy and support of the English Parliament that Scotland owed the liberties she now enjoyed. Was there to be no sympathy and gratitude from Scotland to that Parliament in her struggle against the same hated absolutism? And, more important still, what about the future

for Scotland? Scotsmen were convinced that if Charles should overpower the forces of the Parliament, Scotland's liberties would be no longer safe. Their conviction was expressed in Baillie's words : ' We believe that none can be so blind but they see clearly if the courtiers for any cause can get this parliament of England overthrown by forces either at home or abroad, that all either they have done or our parliament has done already, or whatever any parliament should mint [attempt] to do hereafter, is not worth a fig.'¹ Their own security, they believed, lay in a constitutional government and a Protestant Church akin to their own being set up in England. It was to meet that state of mind that Hamilton emphasised the necessity of reassuring Scotland that her Church settlement was safe. If that could be done he believed he could win over a sufficient party to prevent Argyll and the majority from actively siding with the English Parliament. Accordingly Charles in his manifesto laboured to remove the apprehensions of his northern subjects. His enemies in England endeavoured, he said, to insinuate that ' if we prevail so far here as to preserve ourselves from the ruin they have designed to us, the same will have a dangerous influence upon our kingdom of Scotland and to the peace established there, and that the good laws lately consented to by us for the happiness and welfare of our native kingdom will be no longer observed and maintained by us than the same necessity which they say extorted them from us hangs upon us.' He conjured his Scottish subjects to believe that this was ' a calumny groundlessly and impiously raised,' that he would inviolably observe

¹ *Letters* (Laing's ed.), ii. p. 34.

the laws and statutes of his native kingdom, and 'the protestations we have so often made for the defence of the true reformed protestant religion, the laws of the land and the just privileges and freedom of Parliaments.' The utmost publicity was at the king's request given to this declaration. It was proclaimed at every market cross in Scotland. If any man was in doubt whether the king meant what he said, a discovery was made 'in this very nick of time,' as Baillie puts it, which revealed the real intentions of the king's party with a clearness that brought conviction to Scotland. In the end of May the Earl of Antrim was captured on the Irish coast near Carrickfergus by some of the Scottish troops in Ulster, and on his person were found letters which disclosed a plot for the invasion of Scotland. The letters were from Viscount Aboyne, Huntly's son, and the Earl of Nithsdale, both Roman Catholics. On 9th June the Privy Council disclosed the plot to the country. The story was that Antrim, who came from York, was to treat with the Irish rebels and bring them and the English forces to an agreement, that these together should expel the Scots, then effect a landing in England where they would be joined by Nithsdale and others. Meanwhile the Highlands and Islands of Scotland were to be invaded and ravaged by Irish Catholics, while the papists in the north of Scotland were to rise and make common cause with the invaders. Now this was in outline the plan suggested by Montrose to the queen at York. Montrose, gauging the situation better than Hamilton, believed that Scotland would soon declare for the Parliament and that Hamilton's policy of combating Argyll by methods of diplomacy

would come to grief : he proposed to strike at once before Argyll was prepared for military action. Montrose was put aside for the time and Hamilton sent north to carry out his policy. Antrim was at York when the plan was discussed and was returning to Ireland when he was captured. There was no evidence to show that the king had given his consent, but it was well known that he had for some time past been negotiating with the Irish rebels through Ormond for an understanding with them. In point of fact a cessation of hostilities for a year was arranged a few months later. Charles's purpose was correctly divined to be that he might use the English troops so set free to support his cause in England. And Montrose's plan for an invasion of Scotland from Ireland, though set aside for the present, bore bitter fruit two years later. The Privy Council in divulging the plot did not implicate the king ; they were content to make the significant remark, 'Nor is it to be passed without observation that while his Majesty is making a public declaration of his intentions to defend and maintain the religion, rights and liberties of this kingdom according to the laws civil and ecclesiastic, the papists are conspiring, plotting and practising against the lives of his Majesty's good subjects whereby they do really manifest to the world what the king's Majesty against all his declarations and his subjects against their confidence grounded thereupon may look for from their malice and power if they shall continue in arms and, which God forbid, if they shall prevail in the end.'¹ The discovery of the plot sealed the fate of Charles's hopes and party in

¹ *Register of Privy Council*, vii. (2nd series), p. 444.

Scotland. 'The plot of Antrim,' says Baillie, 'wakened in all a great fear of our own safety and distrust of all the fair words that were or could be given us.' The massacre of Protestants in Ireland was fresh in every mind; it is impossible to exaggerate the feeling of horror and alarm which now spread through Scotland and through England too when the seized documents were sent to Westminster. If the king himself was not involved every one knew that his Catholic queen was well aware of, if indeed she did not inspire, the schemes and plots of her co-religionists. They looked to her as their head and protector, and she played the part with energy and skill. From her point of view she was doing only what she ought to do: the Catholics of England suffered all sorts of disabilities, in Ireland their position was a thousand times worse. It was no fault of hers that she found herself in the position—the impossible position—of a Catholic queen in a Protestant country; but the more she schemed and the more her vigorous nature dominated Charles's weaker will, the more surely did she undermine the confidence of his subjects, English and Scottish, in their king. Whatever were the grievances of the Irish Catholics—and no English party in those days attempted to understand or remove them—to use the wild Irish simply as pawns in the king's game, ship them across, and let them loose to butcher English and Scottish Protestants was a policy repugnant to the feelings of Protestant cavaliers no less than of puritans and presbyterians. 'It seemed now,' says D'Ewes, 'that there was a fixed resolution in the Popish party to extirpate the true Protestant religion in England, Scotland and Ireland.'

If the king's Irish plots were driving Scotland in self-defence into the arms of the English Parliament, his military successes in England were forcing the Parliament to seek the help of the Scots. The war had been dragging heavily and going badly for the Parliament, and in June and July 1643 the parliamentary fortunes were at their darkest hour. The king was master of the north, and in the south-west he had achieved great success. The queen, bringing much-needed arms and ammunition, had landed at Bridlington in February, and joined the king at Oxford in May. Hampden was mortally wounded at Chalgrove Field in June, Essex was a sluggish and ineffective leader, and Cromwell had not yet risen to high command. London, the great prop of the parliamentary cause, was fretting with discontent. June closed with the defeat of Fairfax in the north at Adwalton Moor near Bradford. In July Waller suffered two defeats in the south-west, at Lansdown near Bath on the 5th, and at Roundway Down on the 13th. Bristol, the second city in the kingdom, was besieged and was soon to fall a prize to Prince Rupert. Baillie's homely phrase put it well, 'for the present the Parliament side is running down the brae.'

It was now that Pym decided to appeal to Scotland for aid. Edgehill had made it plain that the war was to be no rapid success for the Parliament, and that the help of Scotland would be needed. Yet Parliament hung back from sending messengers to Edinburgh; there was still some hope of an agreement with the king, and negotiations with Charles took place as late as March and April 1643. This last effort failed and the final step was taken. Most unwillingly was this done, for

Englishmen had not forgotten their experience of the last Scottish army that came over the border. But the time for hesitation was past. On 19th July commissioners from the two Houses of Parliament were instructed to proceed to Edinburgh and ask for the help of a Scottish army. Two peers were named, Lord Grey of Wark and the Earl of Rutland, and four commoners, Sir Harry Vane the younger, Sir William Armine, Mr. Hatcher and Mr. Darley. But Pym knew the Scots would expect to hear what England proposed to do in the matter of uniformity of Church government. This indeed was all-important for the success of the mission : ' if in this he bring no satisfaction to us quickly it will be a great impediment to their affairs here,' writes Baillie in July as Scotland sits waiting for the appearance of the visitors from the south. Accordingly two members of the Westminster Assembly, which had met on 1st July, were added to the commission, Stephen Marshall and Philip Nye. All of them except the two peers arrived at Leith on 7th August. They brought with them letters to the Convention and to the General Assembly from Parliament, and also from the Westminster Assembly, and another letter from seventy English divines. In Edinburgh they found both those bodies sitting. The Convention of Estates had met on 22nd June. It was largely attended and, as might have been expected, overwhelmingly against the king. Charles had forbidden it to meet, then, pocketing his dignity, had instructed it to confine its attention to financial matters, but after a long debate in which Hamilton supported the king the Convention voted itself free to attend to public business without limitation. On 2nd August the General Assembly met ' in a

little room of the East Church ' of St. Giles. Another notable day for Scotland had come, and for the third time Henderson was declared Moderator by a unanimous vote. Weighty business was to be transacted, and every one agreed he ' was the only man meet for the time.' Sir Thomas Hope was royal commissioner. A committee of nine was appointed to receive the English commissioners and act as intermediary between them and the House. In the Convention a similar committee was named. The official papers which the envoys brought were found to contain a request that Scotland should raise ' a considerable force of horse and foot ' to be forthwith sent to the assistance of the English Parliament. On the other side Parliament made two promises which it is well to bear in mind. The first was that if Scotland was annoyed or endangered by any force or army either from England or any other place the Lords and Commons would assist it ' with a proportionable strength of horse and foot to what their brethren shall afford for the defence of England.' The second was that Parliament would maintain a guard of ships at their own charge upon the coast of Scotland ' for the securing of that kingdom from an invasion of Irish rebels or other enemies during such time as the Scottish army shall be employed in the defence of England.' The only other definite request was one made to the General Assembly that it should send to Westminster ' such number of godly and learned divines as they shall think most expedient for the furtherance of the work of reformation in ecclesiastical matters in this Church and kingdom and a nearer conjunction betwixt both Churches.' There was a good deal

in the papers narrating the work of purging and reforming religion that had already taken place, and expressing a desire that the two kingdoms might be brought into a nearer conjunction in one form of Church government. The only means suggested for effecting this end was that both nations enter into 'a strict union and league' according to the desires of the two Houses of Parliament. That league, assuming armed intervention successful, would apparently leave England free to work out its Church reform as the English Parliament might think fit. Among the Scots there was a general desire to help the English, and a general agreement, at least after some discussion, that they must take the side of the Parliament out and out. But in the committees the 'hard debates' to which Baillie refers turned on the point whether the 'Union and League' of which the Parliament spoke was to be anything more than a military alliance. This after all would not bring about the uniformity which Scotland desired, and the more the matter was pressed it became the clearer that 'the English were for a civil league' as distinguished from what the Scots aimed at, 'a religious covenant.' This was exactly the great impediment which Baillie had anticipated, and the rulers of Scotland would not consent to send an army into England until it was removed. Recognising this, the commissioners assented in principle to a Covenant, and Henderson submitted a draft. It has generally been supposed that the draft was entirely Henderson's work. Baillie's expression is 'When . . . Mr. Henderson had given them a draft of a Covenant.' This is not conclusive, and it appears that Wariston had a hand in its

preparation. His *Diary* for 1643 has been lost, but in June 1651 he records his thanks to God 'for making use of me in the draft of the National Covenant, Solemn League, and Solemn Acknowledgement whereof the first scroll was from Him to me.'¹ This appears to mean that Wariston had a substantial share in the drafting of the two first documents. The draft became, after some amendments, the famous Solemn League and Covenant. It is a shorter document than the National Covenant of 1638, and lacks its grave and sustained dignity of language, but it is a more remarkable instrument and had very different historical results.

By the first and leading clause, as drafted, the signatories bound themselves 'that we shall endeavour the preservation of the reformed religion in the Church of Scotland in doctrine, worship, discipline, and government, the reformation of religion in the Church of England according to the example of the best reformed Churches, and as may bring the Churches of God in both nations to the nearest conjunction and uniformity in religion, confession of faith, form of Church-government, directory of worship and catechising, that we and our posterity after us may as brethren live in faith and love.'

The second clause ran 'that we shall in like manner without respect of persons endeavour the extirpation of popery, prelacy, superstition, heresy, profaneness.' They next bound themselves to defend the king's person and authority in the preservation and defence of the true religion, asserting their loyalty and that they had no thought or intention to diminish his Majesty's

¹ Johnston of Wariston's *Diary* (1650-54), p. 72.

just power and greatness. Finally, they made confession of sin before God. Vane was not satisfied with this draft and again trouble arose. 'We were not like to agree on the frame,' says Baillie, who was a member of the Assembly's committee; 'they were, more than we could assent to, for keeping a door open in England to Independency. Against this we were peremptory.' Burnet supplements this statement by adding that Vane suggested the additional words 'according to the Word of God' so as to make the first clause run 'we shall endeavour . . . the reformation of religion in the Church of England according to the Word of God and the example of the best reformed Churches.' This addition was accepted by the committee, and the Covenant was then brought before the Assembly on Thursday, 17th August. Henderson prefaced the reading of it by a 'most grave oration,' and it was received with the greatest applause. A second time he read it distinctly, then called on a number of leading men, both ministers and elders, to express their minds. Every one approved, and the Assembly unanimously adopted the Covenant. This was carried through in a forenoon sitting; in the afternoon of the same day and with the same cordial unanimity the Covenant passed the Convention of Estates. Hope, the royal commissioner, gave in a paper in which he expressed his personal hearty consent, and assented to it as king's commissioner so far as concerned the religion and liberties of the Church of Scotland, but so far as it concerned the Parliament of England with whom the king was then at war he did not assent.

On the 18th eight commissioners were chosen

to represent the Church of Scotland in the Westminster Assembly. These were Henderson, Robert Douglas, Baillie, Samuel Rutherford, George Gillespie, and three lay elders, Lord Maitland, the Earl of Cassillis, and Wariston. Of the eight, Douglas and Cassillis never took their seats. Henderson's health was already so poor that he was extremely averse from going, protesting his firm expectation of death before he could reach London. At the last sitting on the 19th answers were read and approved to the letters from the Parliament of England, the Westminster Assembly and the English divines. As nothing more could be done in Scotland until it were seen whether the English Parliament would adopt the Covenant, a copy of it was at once dispatched to London and the Assembly rose. On 30th August three of the eight commissioners, forming a quorum, also sailed for England—Henderson, Gillespie, and Lord Maitland, accompanied by two of the Englishmen, Hatcher and Nye.¹ The Convention of Estates had meanwhile issued a proclamation stating the heads of the Covenant and commanding all men between sixteen and sixty to be in readiness, the English commissioners promising to provide for the expense of the levy and three months' pay, £100,000, the money to be sent down before Scotland moved further.

When it reached London and was presented to Parliament on 26th August the Covenant produced a favourable impression. It was read in the House

¹ The Estates on 26th August 1643 modified an allowance to those three commissioners out of public funds 'as they are upon the public employment of this kirk and kingdom to repair to England.' Henderson was to have the sum of 20s. sterling daily 'so long as he shall be on this service,' and £30 for his extraordinary charges.

of Commons on that day and at once referred to the Assembly of divines who discussed it fully. They introduced an alteration in the second Article by adding a parenthesis defining the Prelacy which they were to endeavour to extirpate. The Article then read, 'We shall endeavour the extirpation of Popery, Prelacy (that is Church-government by archbishops, bishops, their chancellors and commissaries, deans, deans and chapters, archdeacons and all other ecclesiastical officers depending on that hierarchy),' and so on. On 31st August the Assembly gave in their report to the Commons who themselves made a further change, bringing Ireland into the Covenant with England and Scotland. With these alterations it was approved by the House of Commons on 14th September, and passed by the House of Lords on 18th September.¹ When the three Scots commissioners entered the Assembly on 15th September they were displeased that changes had been introduced without their advice, but a committee of both Houses and of the Assembly went into the matter with them, and they became satisfied that the alterations were for the better. It was arranged that on 25th September the House of Commons and the Assembly should swear and subscribe the Covenant, and this was done in St. Margaret's church on that date, after Nye and Henderson had addressed the assembled company. Probably 112 members of the Commons signed it then. On 13th October in the East Kirk of St. Giles it was sworn and subscribed by the

¹ Baillie is incorrect in stating that the Covenant passed the Commons on Saturday 2nd September and the House of Peers on the following Monday. (Laing's *Baillie's Letters*, ii. 99.) He was not in London at that time, and his information was not at first hand.

commissions of the Estates and of the Assembly and by the English commissioners who had remained in Edinburgh, and thereafter by the people generally in the parish churches.

The reader of these transactions is struck by the haste with which the new Covenant was accepted by the Assembly and Convention on 17th August. Here was a solemn Instrument by which two nations, each in large measure strange to the other, pledged themselves to embark on a vast enterprise outside their own boundaries affecting the beliefs and practices of millions of people, and the General Assembly were content to adopt it although the members had only heard it read aloud twice in one sitting, but had no opportunity each man by himself of reading and weighing its language. And the Estates adopted it in a similar fashion at a sitting on the same day. Think of the Barrier Act to secure time and deliberation, and consultation of the whole Church before an important change is made! And of the careful provision which every legislative assembly makes for weighing every clause and word of the most trifling bill! This momentous document, which was to affect for good or ill two (as it turned out, three) great nations, is drafted by Henderson and Wariston and discussed in private by two small committees along with six English commissioners, and then it is immediately adopted by these two Scottish Parliaments without anything that deserves to be called even a single debate. It is impossible not to sympathise with Burnet's remark, 'Wise observers wondered to see a matter of that importance carried through upon so little deliberation or debate.'¹ If it be true, as Guthry

¹ Burnet, *Memoirs of the Dukes of Hamilton* (1677), p. 239.

states,¹ that Mr. Matthew Brisbane, minister of Erskine, desired that before men were urged to vote leisure might be given them for some few days to have their scruples removed, it must remain a matter of wonder and regret that his advice went unheeded. There is only one explanation—the war. Things were growing desperate with the Parliament. News had just come from the south that Bristol was lost, and that there was nothing to prevent the king from marching on London and taking it. It was under this pressure that the negotiations went on; ‘above all diligence was urged,’ says Baillie. England must have military aid, she could not afford to quarrel with the conditions which Scotland laid down. An anonymous English writer of the day, friendly to the cause, admits that the Covenant was not at first palatable to his countrymen. ‘At first,’ he says, ‘it seemed a hard morsel,’ but he pleads ‘it ought not to be attributed to any slightness or suddenness in a matter of so great concernment but to their diligence and apprehension of the present necessity of the business.’

Scotland grasped at the opportunity to realise her dream of uniformity. It was as truly a dream as was Charles’s design to impose England’s Church system on Scotland. But the temptation to press for uniformity at that moment was, it must be admitted, a strong one for Scotland. We can in part at least understand how far it was from appearing to Henderson to be a dream, how, in fact, it seemed to be a case of the two nations having already almost reached common ground. He knew that the position had changed since the fruitless

¹ *Memoirs* (1748), p. 138.

negotiations in the spring and summer of 1641. The English Parliament had made open and definite advances in the direction of Uniformity. Notably these. In the Grand Remonstrance (November 1641) it had declared its intention to effect a through-going reformation. This had been followed in September 1642, as we have seen, by a Declaration much more explicit, agreeing to abolish episcopacy and settle a government most apt to promote a happy union with the Church of Scotland. Then in June 1643, in the Ordinance appointing the Westminster Assembly, Parliament repeated that many things in the discipline and government of the Church required a more perfect reformation than had yet been attained, that the existing hierarchical government was evil, a great impediment to reformation and growth of religion, and that the Lords and Commons were resolved that it should be taken away, and such government settled in the Church as might be most agreeable to God's Word, most apt to procure peace of the Church at home, and nearer agreement with the Church of Scotland and other reformed Churches abroad. Finally, the Westminster divines were now actually at work, and it would be for them, a body of Englishmen, to prepare a reformed confession and system of Church government for England. Scotland was now invited to join in their work; she would not impose her form on England, but the two working together would endeavour to carry through a scheme of doctrine and worship which would bind the two nations together.

It has often been said that Scotland meant by the Solemn League and Covenant to force presbyterianism on England at the point of the sword,

The facts are very far from warranting so sweeping a judgment. Let us see how the matter took shape in Henderson's mind.

As early as August 1640, in his paper on the 'Lawfulness of their Expedition into England,' he expresses the belief that if the expedition succeeded 'Scotland would be reformed as at the beginning, and the reformation of England would be carried out according to the wishes of the protestant party in England.' There is no suggestion that Scotland meant to impose her system of doctrine or discipline on England. That becomes still more plain when we look at his next important utterance. This is the paper written when Henderson was in London in 1640-41 in connection with the Treaty negotiations, containing the Reasons for Scotland's desire for Uniformity. It has already been discussed,¹ but the explicit language he uses—speaking with full responsibility on behalf of his country—deserves to be remembered. 'As we account it no less than usurpation and presumption for one kingdom or Church, were it never so mighty and glorious, to give laws and rules of reformation to another free and independent Church and kingdom, were it never so mean . . . so have we not been so forgetful of ourselves, who are the lesser, and of England which is the greater kingdom, as to suffer any such arrogant and presumptuous thoughts to enter into our minds.' And again: 'We do not presume to propound the government of the Church of Scotland as a pattern for the Church of England, but do only represent in all modesty these few considerations according to the trust committed to us.' It is clear therefore that,

¹ Pp. 257-261,

so far as Henderson was concerned, what he contemplated was that England of her own accord should reform her own Church on lines similar to the Church of Scotland, and not that Scotland should force her system on England. This is put beyond dispute by a most instructive letter written by him at a later date, April 1642. He had taken time for further reflection on the whole subject, and he thus spoke in the frankness of private correspondence: 'I cannot think it expedient that any such thing, whether Confession of Faith, Directory for Worship, Form of Government, or Catechism, less or more, should be agreed upon and authorised by our kirk till we see what the Lord will do in England and Ireland, where I will wait for a reformation and uniformity with us. But this must be brought to pass by common consent. We are not to conceive that they will embrace our form, but a new form must be set down for us all, and in my opinion some men set apart some time for that work. And although we should never come to this unity in religion and uniformity in worship, yet my desire is to see what form England shall pitch upon before we publish ours.'¹ When the English commissioners appeared in Edinburgh in August 1643 we can understand how it must have seemed to the writer of these words that the conditions which he desiderated were now fulfilled, and that the opportunity had come for pressing the policy of Uniformity to an issue. Rutherford writing in 1648, when the whole policy had proved a disastrous failure, gave a similar account of it: 'As for the forcing of our opinions upon the consciences of any . . . it was not in our thoughts or intentions to

¹ Baillie's *Letters* (Laing's ed.), ii. p. 2.

obtrude by the sword and force of arms any Church-government at all on our brethren in England.’¹

It is impossible to say that Henderson’s large and statesmanlike view was held by all his countrymen ; few of them had so open and so sympathetic a mind as he. Baillie states the more common view when he says, ‘ the chief aim of it was for the propagation of our Church discipline in England and Ireland.’ But undoubtedly whatever men’s intentions may have been the facts of the situation were too strong for them. A Covenant in the Scottish sense implied a united nation. It was because there was a united Scotland in 1637 that a National Covenant was possible. But England in 1643 was split into two camps, and civil war was raging. A Covenant with ‘ England ’ could only be at best a Covenant with half a nation, and the results inevitably were fatal to the avowed object of promoting peace. Scotland found herself from the outset a party to a system of active intolerance. The English Parliament allowed no time for the friendly working out of a new Church system to suit both countries. The Covenant was imposed at once. It was used as a political test to distinguish Parliament-men from malignants or king’s-men, and at the same time to extirpate episcopacy. It is startling to note how small was the handful of men who carried out this policy. We speak of the two Houses of Parliament doing it, but in fact only a fragment was at this time in attendance at Westminster. The House of Lords was a mere shadow, 10 or 15 members on an average : only 30 peers in all had declared for the Parliament, royalists numbered 100 or thereby. In the Commons

¹ *A Survey of the Spiritual Antichrist : Introductory Epistle* (1648), p. 8.

the ordinary number present did not exceed 100 ; on special occasions from 200 to near 300 could be whipped up : the royalist commoners were somewhat fewer, the full roll of the House being between 500 and 600.

Yet although the new Church system had still to be created, though the Westminster Assembly had not even begun to consider it, and no one could tell what their labours might produce, from September 1643 onwards the Covenant was imposed for the extirpation of prelacy wherever this remnant of Parliament held the power. The Assembly spoke mildly of 'extirpation in a lawful way,' but as a matter of fact what happened was that beneficed clergy who refused to sign were ejected from their livings in large numbers. Neal, the puritan historian, estimates the number of incumbents ejected at 1600, about one-fifth or one-sixth of the benefices of England. This figure doubtless slumps together all who lost their livings during the war. Some of these were convicted as men of scandalous life and were turned out on that ground, others for unsoundness of doctrine, suffering in turn what the puritans suffered under Laud. Others again were dealt with for taking part with the king in the war, or disowning the authority of Parliament and exciting the people to an absolute submission to the Crown. Neal concludes that the number displaced 'only for refusing the Covenant must be very inconsiderable.' But this indefinite language cannot hide the definite and painful fact that the Covenant was responsible for ill-treatment of many whose only offence was that as conscientious upholders of the existing episcopacy they refused to sign it.

The ejected incumbents continued, it is true, to receive one-fifth of their incomes, and it must in fairness be said that they suffered far less than the persecuted clergy under Laud, and far less than those ejected in 1662. In London no man could be a common councilman who had not subscribed. So wide was the Parliament's net cast that in February 1644 it ordained ministers to tender the Covenant in the parish churches to all persons of eighteen years and upwards; if they refused to sign they were to be reported to Parliament.

In Scotland itself the work of signing went on, as might be expected, with a much greater degree of unanimity, but Baillie admits there was a hostile minority, 'a great many averse among us from this course who bitterly spoke against our way everywhere, and none more than some of our friends.' Stern measures were adopted with those candid friends. The Commission of Assembly on 11th October instructed presbyteries 'that they proceed with the censures of the kirk against all such as shall refuse or shift to swear and subscribe.' And next day the Commission of the Estates added its civil terrors: it ordained subscribing by all his Majesty's subjects 'under the pain to such as still postpone or refuse to be esteemed and punished as enemies to religion, and to have their goods and rents confiscated for the use of the public, and that they shall not bruik nor enjoy any benefit place nor office within this kingdom.'

To treat opponents in this fashion seemed the plain path of duty to men who read the Old Testament with their eyes. 'When King Josiah,' wrote Gillespie, 'made a solemn Covenant (the effect whereof was a thorough reformation) he did not

leave his Covenant arbitrary, but caused all that were present in Jerusalem and Benjamin to stand to it. 2 Chron. xxxiv. 32. In all which he is set forth as a precedent to Christian reformers that they may know their duty in like cases.' ¹ They had yet to learn how worthless to their cause was adherence procured by such means and how it corrupted the men whom they coerced. There was no more zealous Covenanter in Scotland than James Guthrie, but it is he who confesses 'Many did take the Solemn League and Covenant for fear, because the refusing to take it was attended both with ecclesiastical and civil censures. . . . In taking of both Covenants there were not a few whom after discoveries have made manifest who were acted thereto by carnal wisdom and policy, for attaining their own base and corrupt ends, such as riches, places of preferment, and livelihood and ease.'

3. UNIFORMITY A FAILURE

Bishop Guthry, who in his presbyterian days was a member of the Assembly of 1643, states that he proposed that before dealing with the requests of the English commissioners the Assembly should ask the English Parliament to state expressly what they intended to introduce in place of the episcopacy they desired to remove.² He adds that Henderson as moderator 'paused a long time upon Mr. Guthry's discourse, and at last made no direct reply to it.' According to Wodrow, Balmerino objected to the words in the Covenant referring to 'the example of the best reformed Churches,' and asked why they were not plain and downright.³ Doubtless it was

¹ *A Treatise of Miscellany Questions* (1649), chap. xvi.

² *Memoirs* (1748), p. 137.

³ *Analecta*, ii. p. 240.

felt that to press the subject further at the time might lead to discussion and delay. What was needed at the moment was an agreement on the strength of which Scotland would give immediate military aid, the question as to the actual form of Church settlement might be postponed with the hope that in the end harmony might somehow be reached. Yet this policy of covering up unsettled questions by the use of general language was full of danger. Unquestionably the seeds of future trouble lay concealed in the new Covenant. Clarendon's notion that Vane was sent to Edinburgh 'to cheat and cozen a whole nation' may be dismissed as unfounded. The words added on his suggestion to the Covenant were taken from the language which the Parliament had used in regard to the proposed reformation—'such a government in the Church as may be most agreeable to God's holy Word.' The effect of the amendment was practically that Parliament when it adopted the Covenant was pledged to the Scottish Church system only so far as it was found agreeable to the Word of God. This no doubt opened a door for discussion, but Henderson with his belief in the *jus divinum* of presbytery could have no possible objection to inserting the words in his draft.

In another direction the terms of the Covenant made room for possible dissension. *Mercurius Aulicus* reports that no little heat and debate were caused in the Westminster Assembly by the proposal to extirpate episcopacy. Moderate episcopacy found many supporters as being more suitable to England than presbytery. Richard Baxter says very much the same thing. The parenthesis added by the Westminster divines was inserted

expressly on the ground that several of those English divines refused to commit themselves against all forms of episcopacy ; the door was left open for a modified form.

But greater difficulties lay ahead. Henderson and his friends believed they had the support of a strong body of presbyterian opinion in England. In that matter they were under misapprehension in two respects. The first was that England was not so strongly presbyterian as the Parliament itself. It had been elected at a moment when feeling against the king was at its highest and sympathy with Scotland was intense : the permanent attitude of the English mind was not so marked in either direction. The second was more serious because it misled them as to what English presbyterianism really was. The grievance felt by the great mass of Englishmen was against the powers and pretensions of their bishops. They wished these severely curtailed ; if that were done they would have been content with a moderate episcopal system. Failing such a reform, they were prepared to get rid of bishops and adopt the system which cast them out altogether. Such men were accounted presbyterian, and so they were in the sense that they preferred their Church to be without bishops than to be ruled by the kind of bishops they knew. Many of the so-called presbyterians in the English Parliament were men of this stamp. But they had no belief in the divine right of presbytery, and no idea of accepting the Scottish view of a Church claiming a jurisdiction in spiritual matters independent of the State. That view of the relation of Church to State was alien if not abhorrent to the English mind. The supremacy of the State over

the Church was to them a part of their creed ; it was rooted in the history and traditions of England. The Long Parliament held it as firmly as Henry VIII. or Charles I., only they held the supremacy to be not in the king alone but in the king and Parliament. The Grand Remonstrance spoke of the obedience which every man owed 'under God to his Majesty, whom we know to be entrusted with the ecclesiastical law as well as with the temporal to regulate all the members of the Church of England by such rules of order and discipline as are established by Parliament which is the great Council in all affairs both of Church and State.' The Assembly of divines which Parliament desired to be summoned was to be a purely subordinate body called for a limited and specific purpose, to 'consider of all things necessary for the peace and good government of the Church, and represent the results of their consultations to Parliament to be there allowed and confirmed and receive the stamp of authority, thereby to find passage and obedience throughout the kingdom.' The Ordinance calling the Westminster Assembly spoke in similar language. The day came when the Scotsmen in that Assembly and those who sympathised with them in claiming autonomy for the Church found themselves against a dead wall of opposition both in the Assembly and in Parliament. There was the great Erastian party, led in the Assembly by Selden, very strong in the Commons, and utterly rejecting that view. And there were others too in Parliament who disliked presbytery for a different reason. Baillie complained bitterly of 'the body of lawyers who were another strong party in the House, believing all Church government to be a part of the civil and parliamentary power

which nature and scripture have placed in them, and to be derived from them to the ministers only so far as they think expedient'; and of others 'who are extremely affrighted to come under the yoke of ecclesiastic discipline.' Those differences with men who were neither of the Episcopal nor of the Independent party ultimately came to such a height that they proved, in the opinion of a high authority, to be 'one main cause why presbyterianism was never fully set up in England.'¹

One cannot help feeling that the Scottish leaders in their eagerness for uniformity allowed themselves to be misled by words and names. They mistook the presbyterian majority in Parliament for the English nation, and they erroneously supposed that the label 'Presbyterian' meant the same thing in England as it did in Scotland. They omitted to take due account of the fact that there was nothing in England comparable to the position of the Church in Scotland. There presbyterianism had won a triumph which was a national triumph. The Church had played the part of champion of civil as well as religious liberty against royal absolutism, and it had earned a nation's gratitude and loyalty. In England the Church had no such record and held no such position. The nation was deeply divided on religious matters. The Church accepted the supremacy of the State, it made no claim to possess an independent jurisdiction. And the very Parliament which had sworn the Covenant was filled with men nurtured in the Erastian spirit of State supremacy, and scouting the notion of submission to such a discipline as the presbyterian Church enforced in Scotland. It would have been far better to have faced the difficulties at the outset

¹ Mitchell, *The Westminster Assembly*, p. 270.

than to make the discovery after years of labour that they were on vital matters so far asunder. It was here that the Scots' ignorance of England led to so tragic a mistake. To Scotsmen England was a foreign land. They had but a dim conception of the Englishman's mental and spiritual attitude, and the political sympathy between the two countries at the time tended to lead them astray. It was they who forced on England the policy of covenanted Uniformity which meant the acceptance by her of a Church system alien to all her ideas. When they embarked on that vast scheme they were sailing into a dangerous and uncharted sea, and it came to grief on the hidden rocks which abounded there.

But other and even greater difficulties began to appear almost from the time when Henderson and his colleagues took their seats among the Westminster divines. The whole situation indoors as well as out of doors was dominated by the war. It had brought Scotland and England together in friendly alliance, but in the course of three years it raised between them barriers of dislike and distrust and finally it drove them asunder. And this not by reason of the failure of their cause. On the contrary, every success won against the king had the odd result of weakening their own alliance. After Marston Moor had delivered them from the fear of Charles gratitude to their Scottish allies began to cool among a strong party of the English, a process of disenchantment set in, and the cause of covenanted uniformity went steadily back. The true reason was that the alliance did not 'rest upon broad and real community of aim, sentiment, or policy, and the result was that Scottish and English allies were always on the verge of open enmity.

The two nations were not one in temperament nor spiritual experience nor political requirements, and even at the few moments when they approached a kind of cordiality their relations were uneasy.¹ If the Scottish army had had a successful career all might have been different. It is impossible to deny that Henderson and his colleagues relied on its presence and achievements in England to silence doubts and opposition there. Shortly after the Covenant had been sworn by the Commons in September 1643, Henderson wrote home, 'The House of Lords is to take it shortly. And it hath been taken the last Lord's day by a great part of the city in their several parishes. If the Scottish army were here the Covenant would go through the more easily.' In November Baillie naïvely confessed, 'Mr. Henderson's hopes are not great of their conformity to us before our army be in England.' The military alliance was not completed till the end of November. In December the army had not yet crossed the Border, and the arguments in the Assembly with the Independents were prudently postponed: 'wherewith,' says Baillie in the candour of a private letter, 'we purpose not to meddle in haste till it please God to advance our army which we expect will much assist our arguments.' When it did come in January 1644—albeit 18,000 foot with cavalry and artillery—the army proved a great disappointment. Undoubtedly it relieved the situation at first by clearing the royal troops out of the north of England, but it seemed content to settle down there and live on the country. The anxious commissioners in London were annoyed beyond measure. 'We are exceeding sad,' wrote Baillie in April 1644, 'and

¹ Morley's *Cromwell*, p. 133.

ashamed that our army, so much talked of, has done as yet nothing at all.' It helped to win Marston Moor in July of that year, in October it took Newcastle, and in June 1645 it took Carlisle. But these things fell very short of expectation, and in fact the Scots army was a cause of constant friction and growing irritation. The Scots complained that their pay, the £30,000 a month promised, was in arrears, that they were in need of food and clothing; the English retorted that they were doing uncommonly little to help the cause. The Scottish leaders could hardly be surprised that when the weapon in which they had trusted failed their cause incurred a certain amount of disrepute thereby.

Meanwhile, within the Assembly, matters were developing in a way far from satisfactory. It was almost wholly presbyterian in opinion or in sympathy. The few staunch episcopalians who had at first put in an appearance dropped off or were driven off by the Covenant. In the whole House, Baillie mentions only some ten or eleven as Independents. But what these last lacked in numbers they made up in ability and power of debate. On many questions of doctrine and worship they did not differ seriously from the majority, but they insisted on needlessly prolonging discussion. In fact, it soon became evident that they were masters of the art of parliamentary obstruction, the progress made was slow, and the Assembly, and in particular the Scots commissioners, became restive. 'The Independents, do what we are all able, have kept us debating these fourteen days on these two easy propositions, and now all the world proclaims in their face that they and they only have been the retarders of the Assembly

to the evident hazard of the Church's safety which will not be much longer suffered.' Why all this obstruction? The answer is simple. They expected presbyterian government and discipline to be set up in England, and they were fighting for standing room for themselves, for toleration in a presbyterian England. Those men or some of them had taken refuge in Holland from Laud's tyranny, they had now reason to fear their fate might be similar under the new regime, and therefore their policy was to postpone as long as they could any decisions at all. There was no concealment about it: 'the Independents being most able men and of great credit, fearing no less than banishment from their native country if presbyteries were erected, are watchful that no conclusion be taken for their prejudice.'¹ So serious was the delay that the Scottish members in January 1644 wrote a joint letter to the Commission of General Assembly suggesting that they should remonstrate on the subject with the Lords and Commons. 'The slow progress of reformation here,' they said, 'is apprehended both by us and others who would advance this work with us as that which may prove of very dangerous consequence, neither doth it proceed only from negligence or slackness that the work is so much retarded, but from the deliberate endeavours of some who think to gain the accession of some strength to themselves in this unsettled condition of affairs.' What they feared was 'that either the common enemy may grow stronger or the intestine rupture and disease more incurable before the remedy be prepared, that errors may spread and sects multiply.' In August following, the General Assembly did send

¹ Baillie's *Letters* (Laing's ed.), ii. p. 117.

letters expressing 'the passionate desires' of Scotland for the performance of the covenanted uniformity, and a meeting of a grand committee of Lords, Commons and Assembly was held, where Henderson presented a written statement 'bearing the great evils of so long a delay of settling religion and our earnest desires that some ways might be found out for expedition.' There was indeed too much ground for alarm. If inside the Assembly the current was running slowly but steadily towards presbyterian uniformity, out of doors the stream was raging like a torrent in the opposition direction. Civil war had burst asunder the bonds of traditional belief, new sects sprang up and multiplied incredibly, every conceivable form of belief and unbelief, blasphemies of all sorts were raising their heads and growing daily bolder. With amazed and sad eyes the sober-minded Scottish divines looked out on this tumult and welter. The Independents in the Assembly were mild and respectable as compared with the Independents and other sectaries outside, but they insisted not only on toleration for themselves but, worse still, on 'pernicious liberty' for all sects. The Scotsmen had no doubt as to the remedy for all this madness. Henderson wrote home about 'such sects and monsters of opinions as are daily set on foot and multiplied in this kingdom through the want of that Church government by Assemblies which hath preserved us, and we hope, through the blessing of God, shall cure them.' 'No people,' said Baillie, 'had so much need of a Presbytery.' Presbytery was to be a sort of strait-jacket for the patient in his frenzy, it would quieten and settle him. It never occurred to them to doubt the efficacy of this sovereign remedy; all that was needed was to

put it in operation without delay. But the delay was becoming dangerous. Ominous symptoms appeared that Independency was growing in the English army, Independency too of a violent type, passing into anabaptism and antinomianism. By and by we hear that two-thirds of the officers and men in the parliamentary armies are Independents and these 'the most resolute and confident men.' To such a pitch had the danger increased. The men who were winning battles and defeating the cavaliers were those very sectaries. If that admitted of any doubt at Marston Moor it was no longer doubtful at Naseby. Their leader was Cromwell 'the great Independent' who now stood out as the great soldier of the Civil War. War then as now tested the foundations of all things. This war taught England strange and unexpected lessons, and out of it a new England was born. Cromwell early discovered that the army that could overcome the royalists had still to be created. He was in earnest himself, and the army which he set about collecting and drilling was to be of the same type. Efficiency was his watchword. His men must be thoroughly disciplined soldiers and they must be men of character, 'religious men.' Efficiency was the sole passport to promotion in his army; his officers many of them were of the humblest origin, but if men were of the right fighting stuff he allowed the greatest amount of individual liberty of opinion. His ranks were filled with sectaries of every shape and colour, earnest religious men according to their light, glorying in their freedom and prepared to stand up for it.

His own attitude to religion was that of a soldier, a thoughtful, clear-headed puritan soldier. Brought up in the Church of England, he had no

great quarrel with it. Nor had he any great quarrel with presbytery ; he cared little for bishops, little for ecclesiastical forms or organisations of any sort. He had signed the Covenant—it is easy to believe without cordiality—but the war taught him that there must be toleration for men who served the State well whether they called themselves Independents, Presbyterians, Baptists or what not. He reached this conclusion on grounds of practical necessity, and proceeded in his blunt and downright fashion to give effect to it. In September 1644 he raised the question in the Commons, and they agreed to refer to the Committee of Both Kingdoms—the War Cabinet of that day ¹—the ‘ accommodation ’ or toleration of the Independents. ‘ A high and unexpected order,’ cries Baillie, almost startled out of his senses. But there was much worse to follow. Cromwell was all for getting on with the war, not playing with it as he believed Manchester and Essex were doing, and after the second battle of Newbury, in October 1644, the quarrel broke out which ended in the Self-denying Ordinance, finally passed into law in April 1645. Here Cromwell took bolder ground about individual liberty : men must be allowed to serve in the army without signing the Covenant. The Scots took alarm. Individual liberty of this sort cut clean across the old belief, common both to English and Scots, in a national Church to which every man must conform. And, of course, it would bring to ruin the great plan of a covenanted uniformity of both countries. Such new-fangled explosive ideas filled

¹ It is interesting to note that this federal War Cabinet, which had full power in regard to military operations, and met daily, consisted of no fewer than twenty-five members : twenty-one English members (seven Lords and fourteen Commons) and four Scots. It was established in February 1644 and dissolved in January 1648.

with horror the minds of men who were satisfied they already knew the whole truth. 'In God's matters,' said Samuel Rutherford, 'there be not as in grammar the positive and comparative degrees; there are not here truth and more true and most true. Truth is an indivisible line which hath no latitude and cannot admit of splitting.'¹ There must be no compromise, only rigid and unbending opposition to these new ideas. This Cromwell with his notions would turn their world upside down. 'He had even,' says Baillie, 'spoken contumeliously of the Scots' intention in coming to England to establish their Church government, and said he would draw his sword against them,' it was nothing but 'a high and mighty plot of the Independent party to get an army for themselves and to dissolve the union of the nations'; they must see to it to 'obtain his removal from the army.'

This was no mere idle gossip of Baillie's. Cromwell's language, revealed by Manchester, was duly reported to the Government in Edinburgh, and it probably lost nothing in the telling. The Committee of Estates learned with horror that this man, professedly a friend of their cause, had declared his hatred against the Scottish nation to be as great as 'against any in his Majesty's armies,' had slandered the Assembly of divines as 'persecutors of honest men than themselves,' and had professed he would as soon draw his sword against the Scots 'as against these who are declared enemies of both kingdoms.' To them such language was intolerable, they rushed to the conclusion that Cromwell must be impeached as an Incendiary. On 17th December 1644 the Committee of Estates sent instructions to their commissioners in London

¹ *The Due Right of Presbyteries* (1644): Epistle to the Reader.

to see that this was done. Their letter recounted with indignation Cromwell's language and proceeded : ' Therefore we have unanimously thought fit to desire you to demand in name of this kingdom from the honourable Houses that justice may be done upon him as an incendiary betwixt the nations, that by his exemplary punishment none hereafter may dare to endeavour the interruption of the brotherly affection and Christian amity betwixt the kingdoms. The particular way of managing hereof we remit to yourselves, and expect your special care and diligence herein.' Cooler reflection apparently suggested that the obeying of these instructions might prove a more difficult and delicate matter than they had supposed, and a second letter followed on the same date : ' Considering that in respect of the condition of affairs there the way of managing that business will be better known to you we have thought fit hereby (notwithstanding of our other letter) to allow to your Lordships a latitude to do therein as you shall find most conducing for the furthering of the work of reformation and good of both kingdoms.'¹ One is glad to know this grotesque proposal did not originate with Henderson or his fellow-countrymen in London, but with men far removed from the scene of action, who had but little conception of the position which Cromwell held in Parliament and in the army.

The sequel presents an incident piquant and amusing, to which it would be difficult to find a parallel. The commissioners were bound to ' special care and diligence ' in carrying out the instructions of their Government, but like wise men they made

¹ *Correspondence of the Scots Commissioners in London (1644-1646)*, Roxburghe Club, p. 52.

full use of the 'latitude' given them. Instead of tabling a demand for impeachment before the Houses they proceeded with extraordinary caution and secrecy. A midnight conclave was held at Essex House : Loudoun, the chancellor, was there with Henderson to discuss matters with Essex and other trusted English friends. The safe but unheroic conclusion was reached that legal advice should be taken before anything was attempted. Never, it is certain, was a consultation with counsel held in circumstances so remarkable ; it would be an incredible tale but that our informant is himself one of the counsel. The lawyers consulted were Maynard and Whitelocke, two members of the parliamentary party, both in the House of Commons. They were summoned very late that December night by a mysterious message to come to Essex House on urgent business ; 'there was no excuse to be admitted nor did they know beforehand the occasion of their being sent for.' Loudoun took speech in hand and laid the case before them. Cromwell, he said, is no friend of ours, and since the advance of our army into England has used all underhand and cunning means to take off from our honour and merit ; he is no friend to us and to the government of our Church, and no well-wisher to Essex ; if he be permitted to go on in his ways it may endanger the whole business. You may know that by our law in Scotland we call a man an Incendiary who kindles coals of contention and raises differences in the State to the public danger. We want to know whether your law is the same, and how an Incendiary is to be proceeded against ; is Lieutenant-General Cromwell such an Incendiary ? The two English lawyers listened, we may be sure, with becoming gravity but doubt-

less inward amusement. They replied with judicious caution that Incendiary was a term not much met with in their law, but it meant very much the same as in the law of Scotland. Whether Cromwell was an Incendiary or no could not be known but by proofs of his particular words or actions: they knew none, but would be glad to consider and advise in any that might be put before them. Only, the Scots commissioners must be prepared before they brought Cromwell on the stage to carry the matter through to a successful end, otherwise the issue of the business might not answer their expectations. 'I believe,' said Maynard, 'it will be more difficult than perhaps some of us may imagine to fasten this upon him.' Cromwell was, they went on, 'a gentleman of quick and subtle parts, and one who had gained no small interest in the House of Commons, nor is wanting of friends in the House of Peers, nor of abilities in himself to manage his own part or defence to the best advantage.'¹ That hint was sufficient. Henderson and his colleagues 'were not so forward to adventure upon it.' Maynard and Whitelocke were dismissed about two o'clock in the morning with thanks and compliments, and nothing more was heard of the extraordinary notion of impeaching Cromwell.

But the Scots drifted further apart from him. They saw only an anarchist in the man whose vision was opening to larger and loftier ideals. After Naseby, in June 1645, Cromwell wrote to Parliament: 'Honest men served you faithfully in this action. Sir, they are trusty; I beseech you in the name of God not to discourage them. He that ventures his life for the liberty of his country

¹ Whitelocke's *Memorials* (ed. 1682), pp. 111-12.

I wish he trust God for the liberty of his conscience, and you for the liberty he fights for.' When Bristol fell in September he wrote: 'Presbyterians, Independents, all have here the same spirit of faith and prayer; the same presence and answer: they agree here, have no names of difference; pity it is it should be otherwise anywhere. All that believe have the real unity which is most glorious, because inward and spiritual, in the Body and to the Head. For being united in forms, commonly called Uniformity, every Christian will for peace sake study and do as far as conscience will permit. And for brethren, in things of the mind we look for no compulsion but that of light and reason.'

A new and sweet note, but the world of that day was only alarmed by its novelty not captivated by its music. The Scottish leaders were perturbed beyond measure. Cromwell on his side judged presbyterianism unfairly. A system which to Scotsmen stood for ordered liberty, democratic in spirit and operation, he suspected, and Milton more than suspected, to be a new engine of ecclesiastical oppression. Their bitter experiences under Laud's tyranny produced a reaction which led them to emphasise individual liberty in religion, to reject authority, especially clerical authority, and to distrust elaborate organisation. But the Scots had only themselves to blame that Cromwell's suspicions deepened when he found them resolute against toleration either in the army or out of it. Much as he disliked their insistence on their form of Church government he would probably have accepted presbyterianism if it had been coupled with the vital concession of toleration. But the Scots were blind to the teaching of events: they

could not or would not see that from the time when the Independent party rose to influence the war which they helped to wage was not only defeating the king, it was defeating themselves, for the policy of Presbyterian Uniformity then became impossible except by being modified or enlarged so as to allow room for the new forms of opinion which had grown up among their English allies. Alas ! the spirits of Scotsmen grew full of bitterness as time went on. Scotland had at least sent her army to England's help, but England had not fulfilled the promise solemnly made to prevent invasion of Scotland by sea or land. Their country was overrun by Montrose with his wild Irish, and Scotland was paying a terrible price—tortured at home, despised in England. Disillusionment was opening the eyes and sharpening the tongue of each ally to appreciate the faults and shortcomings of the other.

The Parliament, still predominantly presbyterian, voted in January 1645 that the Church of England should henceforth be presbyterian, and during the winter of 1645-6 it gradually completed the details of the frame of the new Church government. In London, where the atmosphere was friendly, it was to be put in operation at once, and by and by all over England. It was after all but 'a kind of nominal presbytery,' Baillie thought. The Erastians forming a coalition with the Independents took care that the Church courts were subordinated to parliamentary commissioners. But, even so emasculated, the great scheme was still-born. In London, indeed, classes or presbyteries were set up. Fourteen of them, all included in one synod, had a rather feeble existence there for a time ; in Lancashire, nine presbyteries were organised with

more life in them. On paper there were some sixty synods for the whole of England, but they existed on paper only. That they never came into actual being was due, says Baillie, to 'the sottish negligence of the ministers and gentry in the shires,' in other words, the people of England were indifferent or hostile. And so Scotland lost her one great opportunity of establishing her polity south of the Border. So wide indeed did the gulf between the parties become that their old friends came to see in the Scottish army no longer champions of freedom but imposers of a new bondage, and flung at them Milton's bitter gibe,

'New Presbyter is but old Priest writ large.'

4. HENDERSON IN THE WESTMINSTER ASSEMBLY

The great plan of Uniformity was a failure. The Westminster Assembly was both a failure and a success: a local failure, but a success on a vast scale unforeseen and undreamt of by its creators. It was part of the plan that the Assembly, with the help of the Scots commissioners, should prepare a new basis to take the place of the existing government, ritual and creed of the separate Churches. The new basis was embodied in certain documents which cost the Assembly years of labour; a Directory of Worship, a Form of Church Government, a Confession of Faith and two Catechisms. In England, their native land, they failed of their immediate purpose, but the Confession of Faith and the Shorter Catechism—the best fruits of the labour of those years—continued to live and mould the faith and life of future generations in Scotland and, mainly through Scotland, in the great English-

speaking nations beyond the seas wherever men of Scottish blood made their homes.

Uniformity of Church government in the three kingdoms was a dream; the Westminster Confession of Faith is a factor of permanent historical importance in the life of the Anglo-Saxon race. For us the Westminster Assembly possesses this further interest, that it is the first and only Church Council held in these Islands, and it still stands first among Protestant Councils.

The Assembly was opened on Saturday, 1st July 1643, in Westminster Abbey, in presence of both Houses of Parliament and a large congregation. Dr. Twisse, the Prolocutor or Moderator, preached, thereafter the members repaired to the chapel of Henry VII. We can well believe the rich architecture of the chapel was in striking contrast to the puritan simplicity of dress—black coats or cloaks, skull-caps and Geneva bands, a few canonical gowns, the broad double ruff of the day worn round the neck. When the cold weather began, in the end of September, the Assembly met in the Jerusalem Chamber in the Deanery of Westminster. It sat daily (Saturday and Sunday and some vacations excepted) for five years and six months, until 22nd February 1649, holding 1163 regular sittings from nine in the morning till one or two o'clock. The afternoons were devoted to the meetings of the three committees which were formed to draft the work for the Assembly. After 22nd February 1649 its work was done, but it met as a kind of standing committee with a scanty attendance every Thursday, for examination and ordination of candidates for the ministry, till 25th March 1652, when it flickered out.

It was not called together by any ecclesiastical authority. The Long Parliament summoned it 'to consult and advise of such matters and things as shall be proposed unto them by both or either of the Houses of Parliament.' It was simply an advisory council of Parliament which claimed to exercise the ecclesiastical supremacy of the Crown, and the Confession of Faith was presented to Parliament as 'a humble Advice.' Parliament was paymaster, and the members received the sum of four shillings a day; even this was irregularly paid. The Scots commissioners were the only delegates elected by a proper ecclesiastical authority—the General Assembly of their own Church. The position at the time was very anomalous. The hierarchy had been abolished by Parliament on 10th September 1642 by an Act to take effect on 5th November 1643. Ordinances to carry it out were not passed till October and November 1646. Before the Assembly had devised and constructed the new ecclesiastical edifice the existing Church was suffering decay from the general upheaval and the application of the Covenant test. Something was done to keep things going in the interregnum by the Assembly at its own hand examining and admitting candidates for the ministry.

As Church reform was the *raison d'être* of the Assembly, its members were chosen by the House of Commons with that view. Some progress had been made in 1642; three bills passed through Parliament for calling an Assembly, but the king refused his assent, war broke out, and nothing more was done. Finally, on 12th June 1643 an Ordinance was passed for the purpose by Lords and Commons. The members had been selected apparently in

April 1642, the parliamentary representatives of each county and the burghs within it recommending two, two were chosen for each of the Universities, four for the city of London. It was intended that they should represent all the parties of English Protestants except Laud's. Most of the members were Church of England clergy, among the number were four bishops. Several were favourable to a moderate episcopacy, many more were presbyterian in sympathy, only about ten or twelve were independents. Invitations were sent to three ministers of the Congregational churches of New England but none of them came. There were in all 151 members; of these 121 were divines, and 30 laymen, 10 of them Lords and 20 Commoners. The quorum was 40. Few of the royalist episcopalians appeared, for the king issued a proclamation forbidding the Assembly, declaring it illegal, and threatening severe punishments against all who presumed to meet. *Mercurius Aulicus* of 30th July has this instructive comment: 'A Committee was appointed by the prevailing faction of both Houses of Parliament to go to Scotland to solicit their brethren there to aid them in this Rebellion against his Majesty. . . . The faction in the Lower House sent away their members on Wednesday last to dispatch this business, who took along with them as the delegates from the New-England Assembly which is now on foot two godly ministers, that is to say Stephen Marshall (one of the great Incendiaries of this nation), and one Master Nye, the better to endear the cause to Father Henderson, who is returned again to his old factiousness.' 'New-England Assembly' is a singularly clumsy and pointless gibe in the light of the facts. Even

less happy if possible is the suggestion that the presence of Nye, a well-known Independent, would specially endear the cause to the staunch presbyterian leader. But in royalist circles this kind of language was thought the best method for bringing the Assembly into contempt. Laud went so far as to say, 'The greatest part of them were Brownists or Independents or New England Ministers, if not worse.' Clarendon indulged in slanders of another sort: 'Some were infamous in their lives and conversations, and most of them of very mean parts in learning if not of scandalous ignorance, or of no other reputation but of malice to the Church of England.'

Henderson we know reached London on 14th September and was received by the Assembly next day. He was again housed in his old quarters at Worcester House, with St. Antholin's church for preaching in. When the later commissioners arrived from Scotland and were introduced in November, here is the 'taste of the outward form of the Assembly' which Baillie provided for his correspondent in Holland. 'At the one end nearest the door and both sides are stages of seats, there will be room for five or six score. At the upmost end there is a chair set on a frame a foot from the earth for the Mr. Prolocutor, Dr. Twisse. Before it on the ground stand two chairs, for the two Mr. Assessors. Before these two chairs, through the length of the room, stands a table at which sit the two scribes. The house is all well hung and has a good fire, which is some dainties¹ at London. In front of the table upon the Prolocutor's right hand there are three or four ranks

¹ A luxury.

of forms. On the lowest we five do sit. Upon the other at our backs the members of Parliament deputed to the Assembly. On the forms opposite us on the Prolocutor's left hand, going from the upper end of the house to the chimney, and at the other end of the house, and backside of the table till it come about to our feet, are four or five stages of forms whereupon the divines sit as they please, albeit commonly they keep the same place. From the chimney to the door there are no seats, but a void for passage. The lords of Parliament use to sit on chairs in that void about the fire.'

The Scotsmen did not sit as ordinary members of the Assembly. They came up as commissioners from their national Church to treat for Uniformity, and they required that they should be dealt with in that capacity. They were willing as individuals to sit in the Assembly, and did so sit and gave their advice upon occasion on points debated, but they required that a committee be appointed from the Parliament and Assembly to treat with them about the Uniformity. Nor were they conspicuous as talkers. Henderson appears to have used his influence wisely in composing differences which arose in the course of the debates; he was silent 'for the far most part of the last two years,' says his friend in January 1647. Baillie has some caustic comments on the speakers. 'Four parts of five do not speak at all: of these few that use to speak sundry are so tedious and thrust themselves in with such misregard to others that it were better for them to be silent.' On the other hand, 'there are some eight or nine so able and ready at all times that hardly a man can say anything but what others without his labour are sure to say

it as well or better.' But the Scots commissioners wielded an influence out of all proportion to their numbers. At first the Assembly commenced revising the Thirty-nine Articles, but with the adoption of the Covenant and the arrival of the Scotsmen that work was laid aside for the new task. On one or two occasions the House had a taste of the quality of the men from the north. Henderson on one never-forgotten day was roused out of his habitual calm into a heat of energy and eloquence that astonished the House. Nye made a vicious onset on Presbytery as inconsistent with a civil state, and next day in presence of a large number of members of both Houses returned to the attack. He demonstrated to his own satisfaction that the bringing of a whole kingdom under one national Assembly was pernicious to civil states and kingdoms. That was more than Henderson could stand, especially from the man who in Edinburgh had accepted the aid of Scotland on the basis of Uniformity, and he rose and exposed the absurdity of the argument as one directed not against the Scottish Church only but against all the reformed Churches, comparing the conduct of Nye to that of Lucian and the pagan writers who were wont to stir up princes and states against the Christian religion. He carried the sympathy of the Assembly and Nye was censured. Another occasion witnessed a battle of giants when young Gillespie, the junior of the Scottish delegates, without preparation entered the lists against the redoubtable Selden, and proved himself more than a match for that paragon of learning, Selden himself being witness.

By the end of 1644 the Assembly had worked

its way through the new Directory of Worship and the new Form of Church Government. Next month the work received the stamp of authority. On 4th January 1645 Parliament passed an Ordinance abolishing the use of the Prayer Book and adopting the new Directory : on the 28th day of the same month four Resolutions were passed containing all the essentials of Presbytery. In December 1646 the Confession of Faith was completed and presented to Parliament. At a later date, June 1648, Parliament voted it in part, but it never authorised the Confession as a whole ; it omitted Articles XXX. (On Church Censures) and XXXI. (On Synods and Councils) with parts of XX. and XXIV. The Larger Catechism was presented to Parliament on 22nd October 1647, the Shorter on 25th November of the same year. The Scotsmen took an active part in the shaping of all the documents except the Shorter Catechism. Henderson quitted London in May 1646, Baillie in December following, and Gillespie in May 1647. It was not till August 1647 that a committee was chosen to prepare the Shorter Catechism ; it made its report in October. Rutherford remained till November 1647, but he made no mark on the book. The Confession of Faith was adopted by the General Assembly in its entirety on 27th August 1647 as being 'most agreeable to the Word of God and in nothing contrary to the' received doctrine, worship, discipline and government of this kirk.' The Scottish Parliament endorsed it on 7th February 1649. The Catechisms also received ecclesiastical and civil sanction in Scotland, the Assembly adopting the Larger on 20th July 1648, and the Shorter eight days later ; Parliament approving of both on

7th February 1649. When presbyterian government was established in 1690 the Confession was made statute law, but no mention was made of the Catechisms. In England the fate of the Confession was necessarily altogether different. It lacked the stamp of parliamentary authority. It is plain too that its English authors never intended to accept the Confession as a document for subscription. Their experience had taught them to fight shy of binding it on the conscience of men.

Theologians say that the Confession is a great success as a statement of the whole Calvinistic scheme of doctrine. Its sharpened logical statements, fuller and harder than the earlier reformed creeds, bear the mark of the theological conflicts which had recently taken place; but our later age, which seeks a far simpler creed, can only wonder that this great body of divinity should have been put into a public Confession of Faith, still more that it should have been imposed on men as a creed. 'Let us not put disputes and scholastic things into a confession of faith,' said Reynolds with rare wisdom, and it would have been well if his colleagues had attended to his warning. But they had no lack of confidence in their power to grasp and define the greatest mysteries. Of one of them, Dr. Wallis, an eminent Cambridge mathematician, afterwards one of the founders of the Royal Society, it is said he found nothing mysterious in the doctrine of the Trinity. But the Westminster divines had their moments of inspiration too. They seized and set forth for the first time in a confession of faith the true ground and principle of religious liberty, 'God alone is lord of the conscience,' but the seventeenth century found it

hard to breathe long in so high an altitude. Again, in dealing with the communion of saints they are on sure and lofty ground, urging the duty of cherishing and promoting harmony and union with all Christians of whatever part of the visible Church.

The most immediately and widely popular part of their work was the Shorter Catechism. It came into use in England at once not only among presbyterians but with independents, baptists and others. And it soon began to enjoy a similar popularity in America. But it was in Scotland that it found the most hospitable reception. Intended as a subsidiary part of the great scheme, it proved the most fruitful bit of the Assembly's work; it became for generations the real creed of Scotland as far as the bulk of the people were concerned. The fact that its first question 'is asked of us all, from the peer to the plough-boy, binds us more nearly together': so Stevenson puts it with a deft touch of over-colouring in the picture. It is often said to be typical of Scotland, but it was largely the work of Dr. Wallis, secretary of the committee which produced it.¹ The committee's work, it is true, contained some of the materials of a catechism partially prepared in 1646 when the Scotsmen were present. The Scots were its first critics: the General Assembly, says Baillie, 'thought the Shorter too long and too high for our common people and children.' Fortunately they let it stand. There was something arresting in the first question, 'striking at the very roots of life with "What is the chief end of man?"' and answering nobly if obscurely, "To glorify God and enjoy Him for ever." That opened to us

¹ Mitchell, *The Westminster Assembly*, p. 431.

Scots a great field of speculation.' The thought of 'the glory of God' so central in Calvinism laid hold of the minds of Scotsmen. To them it was no shallow phrase suggesting self-glorification and display, it meant something far more profound. 'The older I grow,' said Carlyle the aged, 'the more comes back to me the first sentence in the catechism I learned when a child, and the fuller and deeper the meaning becomes.' There was in it a greater field of speculation than they supposed. Philosophy has discovered to-day that the old theological phrase expressed the highest and richest truth, 'the revelation in and to finite spirits of the infinite riches of the divine life.' And this 'is the philosophical meaning of the saying that God is Love.'¹

In America the Westminster Standards were planted long before the Declaration of Independence. Singularly enough the first Church there to adopt the Confession of Faith was not a Presbyterian but an Independent Church. The Congregational Synod of Cambridge in the colony of Massachusetts adopted it 'for substance of doctrine' in 1648, the very year after its issue in England. The Presbyterian Churches adopted it at first without alteration, the oldest being the Presbytery of Philadelphia, organised in 1706. After the revolutionary war changes were made in the chapters dealing with the relation of Church and State. The large Presbyterian Church of the United States accepts the Confession as containing the system of doctrine taught in Scripture, but has altered the statements in regard to the powers of the civil magistrate so as to recognise the

¹ Pringle-Pattison, *The Idea of God* (Gifford Lectures), pp. 308-9.

principle of religious liberty and equality of all denominations before the law. Other Presbyterian Churches in the United States have also adopted it with similar modifications. It has been adopted by the Presbyterian Church of Canada, Natal, Tasmania, Ceylon; by the Presbyterian Church in Ireland, Eastern Australia, New South Wales, Queensland, South Australia, Victoria, West Australia, New Zealand, Otago and Southland, and by other Churches. The Churches of Australasia have made similar changes to those of the United States in regard to the question of Church and State.

When we remember the influential and admirable part which Presbyterians have played in the life of America and in that of the sister nations of the British Empire beyond the seas, and how deep a mark Westminster theology has left on their character, we shall be ready to confess that those far-off divines of the seventeenth century, despite their limitations and mistakes, have made a worthy and enduring contribution to the best civilisation of the modern world.¹

There remains one other part of the labours of the Westminster Assembly, an interesting and important part of the intended Uniformity. The Scottish reformers, in common with those of other Churches, gave prominence to congregational psalmody and made it a regular portion of public worship. They adopted the metrical version of the psalms published in England in 1563 by Sternhold and Hopkins, substituting different versions of a considerable number of psalms written by various authors. In 1564 the use of this psalm

¹ *History of Creeds and Confessions of Faith*, Prof. W. A. Curtis, p. 276.

book was ordered by the Assembly. King James having entrusted a body of divines with a revision of the English Bible took in hand himself to produce a new version of the psalms in metre for general use. Several were completed before his death, and the work was left in the hands of Sir William Alexander of Menstrie, afterwards Earl of Stirling, a distinguished poet of the day, who was probably the true author of the version. In 1631 the work was published under the name of King James, 'the Psalms of King David, translated by King James.' His son Charles in 1634 instructed the Privy Council that no other version was to be used in Scotland, and in 1636 it was republished and attached to the Service Book of 1637, considerably altered from the edition of 1631. The opposition to the Service Book was fatal also to this version of the psalms, and it never superseded the earlier version of 1564, which continued in use until 1650. Next came our present version of the psalms, first published in 1643. It is a singular fact that Scotland owes it to an Englishman and to a resolution of the House of Commons. The writer was Francis Rouse, a Cornishman of learning and distinction, who sat in the Long Parliament and was also one of the lay members of the Westminster Assembly. He was later one of Cromwell's privy councillors, and died in 1658.

There was a general desire at the time for a new metrical version of the psalms, several were in fact published, but Rouse's was preferred by the Commons, who ordered it to be published in 1643. On 20th November of that year they ordered that the Assembly 'be desired to give their advice whether it may not be useful and profitable to the

Church that the Psalms set forth by Mr. Rouse be permitted to be publicly sung.' Two days later the Assembly referred Rouse's version to its three committees for revision. Great pains were spent on correcting and amending, and two years later, in November 1645, the Commons ordered that 'the Book of Psalms set forth by Mr. Rouse and perused by the Assembly of Divines be forthwith printed.' Rouse's revised version appeared in 1646. Thereafter it was sent down to Scotland in February 1647 by the commissioners in London, who said, 'One psalm book in the three kingdoms will be a considerable part of Uniformity if it can be fully agreed upon both there and here, and we believe it is generally acknowledged there is a necessity of some change, there being so many just exceptions against the old and usual paraphrase. And we humbly conceive there will be as little controversy that this which we now send you, as it hath come through the hands of more examiners, so it will be found as near the original as any paraphrase in metre can readily be, and much nearer than other works of that kind, which is a good compensation to make up the want of that poetical liberty and sweet pleasant running which some desire.' The book was again subjected to much examination in Scotland. It was at once sent to presbyteries, and in August 1647 the Assembly appointed four members to examine the psalms and, if they thought fit, to correct them, utilising for that purpose the suggestions from presbyteries, and also the metrical versions which had been made by Sir William Mure of Rowallan and Zachary Boyd, one of the Glasgow ministers. For two years more the work of revision went on,

passing through the hands of presbyteries, synods, and General Assembly. Finally the Assembly of 1649 authorised its Commission to complete the task by publishing the psalms for public use. This they did in 1650 by appointing them to be the only paraphrase of the psalms of David to be sung in the kirk of Scotland after 1st May 1650. It has many imperfections, but it has all the merits claimed for it by the poet Beattie: 'In this version there is a manly though severe simplicity without any affected refinement, and there are many passages so beautiful as to stand in need of no emendation.'¹ Its latest critic, Mr. Hepburn Millar, agrees that 'it contains many passages of artless and simple beauty, and some of unostentatious dignity.' And for us it wears an added charm, 'it is hallowed by the associations of two centuries and a half.'²

5. UXBRIDGE : A ROUND TABLE CONFERENCE

The second battle of Newbury in October 1644, where a parliamentary victory was thrown away by refusal to follow it up, was the turning point in the military history of the war. It was then that Cromwell made up his mind that the military machine must be overhauled, and proceeded to unfold his scheme of a New Model army. But the quarrel which then broke out in the party was political as well as military. The military chiefs Manchester and Essex were, it is true, indifferent commanders, but more than that, they were presbyterian and royalist in sympathy, they had no wish to beat the king to his knees, they preferred settling with him by negotiation to defeating him

¹ *A Letter on the improvement of Psalmody in Scotland*, p. 10.

² *A Literary History of Scotland*, p. 241.

by the sword. The vigorous and successful soldiers were most of them among the independents or other sectaries, and they were the men who were for fighting it out in dead earnest. There was, in fact, a peace party and a war party. The peace party was for the time the more influential; it had with it the House of Lords and the Scots, it voiced the feeling of war weariness which weighed down a people groaning under two years of suffering and misery in an unnatural strife. The party was stirred into motion by the activity of Cromwell with his ominous schemes for driving the politicians out of the army, and turning it as they thought into an engine of revolution. Their fear was that if the war went on power would fall more and more into his hands and the hands of those capable and dangerous men who looked to him as leader. The alarm they felt took shape in the attempt made by the Scots in December 1644 to get rid of Cromwell by impeachment. It took shape also in attempts to which Parliament, not without difficulty, gave its consent to enter on peace negotiations with the king, attempts which resulted in the famous conference known as the treaty of Uxbridge in January and February of 1645. On the king's side also there was a party which earnestly desired peace. The war had brought poverty and distress on many of the gentry who adhered to his cause, and the Oxford Parliament let its voice be heard so distinctly that Charles had to yield. He was well aware of the dissensions, military, political and religious among his opponents, and he had some hopes of securing peace terms from the weakness of the foe.

Elaborate preparations were made. The little

town of Uxbridge near the western boundary of Middlesex was chosen as the place of meeting, there were to be sixteen commissioners for the Parliament and as many for the king, and the Scottish Estates were separately represented. The parliamentary and Scots commissioners with their retinue were not to exceed in all 108 persons; on the king's side the number was the same. On the 29th of January both parties arrived and the small town could hardly contain them. Those of the Parliament and their retinue filled the north side, the king's party the south; the best inn on the one side and the best inn on the other were the respective headquarters. 'The town was so exceeding full of company that it was hard to get any quarter except for the commissioners and their retinue, and some of the commissioners were forced to lie two of them in a chamber together in field beds only upon a quilt, in that cold weather not coming into a bed during all the Treaty.'¹ The largest house in the town was chosen as the meeting-place: 'the foreway into the house was appointed for the king's commissioners to come in at, and the back way for the Parliament's commissioners; in the middle of the house was a fair great chamber, where they caused a large table to be made,' and round this table the two parties ranged themselves. It had been settled that the three topics to be discussed were to be Religion, the Militia, and Ireland, to be taken in the order stated, twenty days to be allotted to each. The conference was primarily the work of the Scots and their English sympathisers, it was a supreme effort on their part to bring about a presbyterian

¹ Whitelocke's *Memorials* (ed. 1682), p. 122.

settlement : if that were secured they were disposed to help the king on the other matters. It followed that Henderson must be their foremost champion at Uxbridge. That position was none of his seeking, but he had no choice. The correspondence of the Scots commissioners in London with the Committee of Estates at Edinburgh shows how indispensable in the opinion of his countrymen was this man for the work, yet how modestly he himself shrank from the honour and responsibility they sought to thrust upon him. 'Foreseeing the business of the Treaty to be of such importance and so full of difficulties' the commissioners 'have taken along with them Mr. Alex. Henderson. . . . Found Mr. Henderson "very averse" and anxious to attend the Assembly. . . . Yet having represented to him how prejudicial his absence would be to the ends for which he was sent into this kingdom we at length persuaded him to go along with us.'¹ The General Assembly meeting in Edinburgh, in January 1645, passed an Act specially authorising him to go to Uxbridge, and the appointment of commissioners was made expressly 'together with Master Alexander Henderson upon the propositions concerning religion.' The three propositions, as they were called, were the terms which the parliamentary commissioners were instructed to offer the king. Under the head of religion the king was to sign and swear the Solemn League and Covenant and to agree that all subjects were to take the Covenant under penalties fixed by Parliament ; to consent to the abolishing of the episcopal hierarchy and the Prayer Book from the

¹ *Correspondence of the Scots Commissioners in London (1644-46)*, Roxburghe Club, p. 57-8.

Church of England and of Ireland ; reformation of religion according to the Covenant was to be settled by Parliament, the Directory taking the place of the Prayer Book ; the Ordinance for the Westminster Assembly was to be confirmed by Parliament. Under the second head the militia was to be permanently controlled by commissioners named by Parliament with a certain number of Scottish commissioners, the Scottish militia to be similarly in the hands of Scottish and English commissioners. Under the third head the Irish Cessation was to be made void by Act of Parliament, and the war in Ireland was to be carried on by the English Parliament without the king's interference.

The discussion began on 1st February with the Church question. Dr. Stewart, an episcopal divine, argued on the one side, Henderson on the other. A modern writer makes a high claim for Henderson, but one which does not go beyond the facts when he says that ' In the history of Great Britain no Scottish ecclesiastic has occupied so august a position, and the fact that Henderson occupied it, implying as it does the entire confidence of his own countrymen, and the trust of that immense multitude of the nobility and people of England which had risen up against the king, proves him to have been no ordinary man.' ¹ The line he adopted showed both skill and discretion. His argument, as reported by Clarendon, waived the question of the lawfulness of episcopacy : recent events had shown that at least it was inexpedient, the Parliaments of England and Scotland had both found that it had produced great mischiefs to the State, it had led to war between Scotland and England, and now to civil

¹ Bayne, *Chief Actors in the Puritan Revolution*, p. 467.

war in England, it was plain this inconvenient and mischievous government of the Church must be changed if the State itself was to be preserved ; the king ought to consent to this in the interest of both kingdoms, and the fact that he had already consented to it in Scotland showed that he did not believe that episcopacy was necessary for the support of the Christian religion.

Yet it is hard to see how the presbyterian party could persuade themselves that the king would accept their terms. Charles had an infinite capacity for intrigue even when his affairs were desperate, and his cause was by no means desperate in the beginning of 1645. His instructions to his commissioners show he had no thought of yielding an inch. There was to be no concession on the point of bishops, he was particularly bound by the oath he took at his coronation not to alter the government of the Church from what he found it. He reported to the queen that it was ' the unreasonable stubbornness of the rebels that gave daily less and less hope of any accommodation.' The only suggestion that occurred to the king by way of sweetening the atmosphere at the conference table was made to Nicholas, his secretary, who was one of his commissioners : ' I should think if in your private discourses with the London commissioners you would put them in mind that they are arrant rebels, and that their end must be damnation, ruin and infamy except they repented, it might do good . . . the more of you that speak in this dialect the better.' ¹ Each side stood stiff and unyielding on its own ground, and so long as that continued progress was impossible. But on 13th February

¹ Evelyn's *Memoirs* (ed. 1827), v. p. 117.

came the great surprise of the conference. The king's commissioners tabled new proposals. In the matter of religion they were willing 'That freedom be left to all persons of what opinions soever in matters of ceremony, and that all the penalties of the laws and customs which enjoin those ceremonies be suspended. That the bishop shall exercise no act of jurisdiction or ordination without the consent and counsel of the presbyters who shall be chosen by the clergy of each diocese out of the most learned and gravest ministers of that diocese.' All other abuses in the exercise of ecclesiastical jurisdiction were to be dealt with by Parliament. Here was at least the language of compromise ; a scheme put forward for the first time by an English party embodying in it the principle of toleration—a distinct anticipation of the settlement of 1689. It is difficult to believe it had Charles's cordial approval, but in any event it shows the strength and earnestness of the peace party on his side. How was it received ? Here is the answer of the presbyterians. 'It is a new proposition which wholly differs from ours, is in no way satisfactory to our desires, nor consisting with that reformation to which both kingdoms are obliged by their solemn Covenant, therefore we can give no other answer to it, but must insist to desire your Lordships that the bill may be passed and our other demands concerning religion granted.' In other words, it was met by a blank *non possumus*. The Covenant tied their hands, it prevented them from even considering any other proposal. They had come not to negotiate, not to discuss terms of settlement, but simply to present their terms for acceptance as they stood.

‘At the treaty of Uxbridge,’ wrote George Gillespie, ‘the propositions for religion (of which the confirming of the Covenant is the first and chiefest) were acknowledged to be of such excellency and absolute necessity as they were appointed to be treated of in the first place, and that no peace or agreement should be till they were first agreed unto.’¹ This was the weakness of the covenanting position in face of the situation in England. It prevented them from going half way, or any part of the way to meet independents on the one hand, or episcopalians on the other, and without the support of one or the other their policy could make no real headway in England. It was not without some reason that the king’s commissioners protested: ‘We desire you to consider that we are now in a treaty, and we conceive the proper business thereof to be for your Lordships to give us reasons why his Majesty should consent to the propositions made by you, otherwise it would be only a demand on your Lordships’ part and no argument of Treaty between us.’ And they went on: ‘Since it appears that the utter abolishing of episcopacy in the manner proposed is visibly inconvenient and may be mischievous, the regulating of episcopacy being most consonant to the primitive institution, which regulated episcopacy is the sum of our former paper, we desire your Lordships to consent to the same.’ From the other side of the table things looked very different. On 18th February the Scots commissioners told their friends at home ‘The matters of religion do most stick with the king and those that are about him, and therein we find the commissioners with whom we

¹ *A Treatise of Miscellany Questions* (1649), ch. 16.

treat most adverse to grant our desires.’¹ What they thought of the English proposals, and incidentally of Henderson’s conduct, appears when on 14th March they wrote: ‘We found His Majesty’s commissioners most averse to give satisfaction in the matters of religion, and after long and serious debate amongst ourselves and between the divines of both sides (wherein Mr. Henderson’s assistance was very stedable²), we could receive no answer in the point of Church government, but that they would condescend to a regulated episcopacy, which is no other than what the Bishops are obliged unto by the canons of this Church and the laws of the kingdom. . . . Concerning our other desires for enjoining the Covenant, abolishing the Service Book, and establishing the Directory they would in no ways grant them.’³ Each side seemed to expect that the other would listen to arguments from expediency or convenience—on which there was much to be said—yet both knew that each stood on the high ground of the *jus divinum* of his own system, which rendered all such arguments irrelevant and futile. Conferences between such opponents are apt to leave each wondering at the others’ obstinacy; sometimes to lead to the unexpected result expressed in this case by the Marquis of Hertford, who blurted out that they were both wrong, ‘for my part I think neither the one nor the other nor any other government whatever to be *jure divino*.’

The other two Propositions proved, as might have been expected, equally unpalatable to the

¹ *Correspondence of the Scots Commissioners* (1644-46), Roxburghe Club, p. 60.

² Of great value.

³ *Correspondence of the Scots Commissioners*, p. 62.

king, and the conference ended in failure. The independents present at Uxbridge—the most prominent were Vane and St. John—seem to have played a subordinate part. They must have hoped and expected that the negotiations would prove fruitless : a coalition between the other two parties would augur no good to them. They were not tempted even by the compromise proposed, their suspicion and distrust of Charles were probably too deep to be overcome by offers of even a limited toleration, which might prove in his hands to be largely illusory.

In point of fact the course of the negotiations had the immediate effect of smoothing the passage of the New Model Ordinance through the House of Lords. And the Scots were compelled, however reluctantly, to make common cause with Cromwell and his party in prosecuting the war. The king too was well pleased to see an end to the conference, and looked forward with high hopes to the coming campaign. He had been waiting for tidings of Montrose for some time : on 19th February he wrote to the queen the great news ‘ I cannot but tell thee that even now I have received certain intelligence of a great defeat given to Argyle by Montrose, who upon surprise totally routed those rebels, killed 1500 upon the place.’ This was the astounding victory of Inverlochy at the foot of Ben Nevis. The battle had been fought on the 2nd of the month, and Montrose reported to Charles that by the summer he expected to have Scotland at his feet.

The king had some cause for his elation, and the Uxbridge negotiations were broken off on the 22nd.

6. CHARLES AND HENDERSON : THE NEWCASTLE
DISCUSSION

During the year 1645 Henderson continued at his post in the Assembly at Westminster. His labours were beginning now visibly to affect his health. He had taken an important part in the work, but his chief anxieties arose from the ceaseless opposition of the Independents. They were resolved that if they could not prevent the adoption of presbyterian government, or secure for themselves the liberty they claimed, they would join with the Erastians to put the new Church in State fetters. The struggle both in the Assembly and in Parliament went on with varying fortune. In the Assembly the friends of Church autonomy and divine right of presbytery were generally able to carry the day, but when the battle was transferred to Parliament the hostile forces were enormously and increasingly powerful. As time wore on it became apparent that the Scots commissioners would not obtain their ends, indeed the new Church constitution that was emerging from the clash of opinion was likely to prove one that would satisfy no party. Then there were other worries. The inactivity of the Scots army was a continual vexation. The supply of recruits was not kept up from home, the English Parliament allowed its pay to fall into arrears, and the soldiery had to plunder for a subsistence. Meanwhile the condition of Scotland was grievous in the extreme, smitten as it was by sword and pestilence. Montrose marched from victory to victory, and depression settled on the spirits of the Covenanters at home and of their countrymen in London. Even the

crowning defeat of Charles at Naseby in June 1645 brought them only a chastened joy. It was won mainly by the Independents, and did not Cromwell in announcing the victory 'desire the House,' says the horrified Baillie, 'not to discourage those who had ventured their life for them and to come out expressly with their much-desired liberty of conscience?' Henderson's life had now for years past been one of unceasing toil and anxious responsibility. His countrymen told him he could not be spared from London, the centre of affairs. At the close of the Uxbridge conference he had thought of crossing to Holland, and obtained a passport from the king for that purpose. The Protestant Churches on the Continent were always in his mind, and he probably meant by a personal visit to enlist their active support for the cause. But the plan had to be dropped, he was unable even to revisit his native Scotland either in 1644 or '45 along with his colleagues. On all great public occasions he took the position of leading ecclesiastic. At the thanksgiving for Marston Moor on 18th July 1644 he preached before the Lords and Commons, and performed similar service at other notable gatherings. Under the long strain of work, anxiety and disappointment his health, never robust, gave way. In June 1645 an ominous illness laid him aside; he took the Ipswich waters, found some relief and returned, still enfeebled, to his post.

If the cause of covenanted Uniformity was pursuing in 1645 a chequered career, the royalist cause met with complete and irretrievable disaster. The campaign from which so much had been hoped proved a total failure: Naseby, at mid-

summer, was decisive in England; in the autumn Montrose was overwhelmed in Scotland with extinction as sudden and complete as his rise had been sudden and brilliant. The fire flickered out as one fortified place after another fell before the cannon of Fairfax or Cromwell during the winter, and in the early part of 1646 it became certain that the fall of Oxford, the king's headquarters and last remaining stronghold, was a matter of only a short time. The urgent question now was—What was the king to do? To most men the answer, however painful, would have been at least clear enough. Charles had appealed to the sword to decide the quarrel between him and his Parliament; he had waged war for three years, the best blood of England had been shed in his defence, his resources were exhausted, he was beaten. His plain duty was to accept the inevitable and make the best terms he could with the victors. The whole country longed for peace; cavaliers, even bishops, advised him to accept what he could not prevent. But Charles was not like other men. He did not see that he must accept the logic of battle. He proposed to start negotiations with his enemies exactly as if no war had taken place, and he seemed to expect they would agree to that. His most hopeless defect was that he would not, or could not, see facts as they really were, and the failing was never so apparent as at this moment. With commonsense and sincerity on his part there was no reason why the questions in dispute between him and the Parliament might not have been settled. Yet this man 'of great parts and great understanding,' as Cromwell described him, of courage, dignity, taste, a devoted husband and affectionate father,

a lover of good literature and good pictures, was tragically unequal to his fate. He entered on a path which led to his own destruction. He professed to negotiate with presbyterians and with independents, yet his purpose was not to come to terms with either, but to raise distractions between them so that they might destroy each other, or to gain time for maturing plots with foreign powers to invade England on his behalf and destroy them both. The real Charles is disclosed in his secret correspondence with the queen, carried on while he was intriguing with one party or another, and the interest lies not in the proposals he made—these were purposely vague and ambiguous—but in the revelation of the mind and character of this extraordinary man.

In December 1645 he tried to open negotiations with Parliament by offering to send ‘such propositions as his Majesty is confident will be the foundation of a happy and well-grounded peace,’ then he suggested coming personally to Westminster. His real purpose he thus explains to the queen. ‘As to the fruits which I expected by my treaty at London. Knowing assuredly the great animosity which is betwixt the Independents and Presbyterians I had great reason to hope that one of the factions would so address themselves to me that I might without great difficulty obtain my so just ends. . . . I might have found means to have put distractions amongst them though I had found none.’¹ At the same time he was busy with the threads of a private intrigue with the Scots. He was to come to them assured he could rely on their loyal devotion to their monarch. Of

¹ Bruce, *Charles I. in 1646*, p. 11.

course it would be necessary to make, or appear to make, terms with them. 'For the Scots I promise thee to employ all possible pains and industry to agree with them.' He could not give up the Church of England, but still 'as for Church business I hope to manage it so as not to give them distaste and yet do nothing against my conscience.' At this very time he is at pains to tell the queen his true sentiments about the presbyterianism with which he was to come to terms. 'The nature of Presbyterian government is to steal or force the crown from the king's head.'¹ 'For the Presbyterian government I hold it absolutely unlawful, one chief (among many) argument being that it never came into any country but by rebellion.'²

While Charles imagined that in this way he was deluding the parties at home during the early months of 1646 he was deep in wild cat schemes for the invasion of England. One of his plans was that a French force of 5000 was to land near Hastings, while he himself with 2000 horse was to march into Kent. He had another and more grandiose scheme; it was to be carried out with the aid of the pope and the English Roman Catholics. Peace was to be made with the Irish Catholics; 10,000 Irish thus released were to be brought across to Chester, and a like body to South Wales. At the same time a foreign army of 6000 was to be landed at Lynn. The price to be paid was a liberal one; he was to repeal the penal laws against Roman Catholics in England and Ireland. 'By this means,' he wrote, 'I shall hope to suppress the Presbyterian and Independent factions and also preserve the Church of England and my crown from

¹ Bruce, *Charles I. in 1646*, p. 22.

² *Ibid.*, p. 27.

utter ruin.’¹ An accident brought this plot to light, and its discovery left Charles as bankrupt in diplomacy as he was helpless in arms.

Oxford was no longer safe, and on 5th May he betook himself to the Scots army at Newark, which on the 13th retired north to Newcastle. This step, the only one open to him that offered any safety, came nearer accomplishing his ends than all his elaborate intrigues. In a moment it profoundly changed the situation. The independents saw in it a design of the Scots with their king and probably foreign nations to betray England. They knew that France had sent Montreuil, a diplomatist, to negotiate on Charles’s behalf, and that he had been working for months to bring the king and the Scots together. They suspected that a presbyterian treaty had now been arranged, and the king at the ripe moment had put himself at the head of the movement. Many things pointed in the same direction. Charles was writing temporising letters from the Scottish camp to the Houses of Parliament and to the City fathers; in the City there was an outburst of presbyterian fervour and petitions to Parliament in favour of Presbyterian Uniformity and No Toleration. The atmosphere was charged with danger. On 19th May the Commons passed a blunt resolution, under the influence of the anti-Scottish party, that there was no further use for the Scots army within the kingdom of England. The Scots were willing to give Charles their help, but always on the condition that he accepted the Covenant. Charles was an embarrassing visitor on their hands. They made it plain to him as soon as he appeared among them

¹ Bruce, *Charles I. in 1646*, p. 25.

that they adhered to their Covenant and to their English allies, and they urged him to agree to the settling of presbyterian government in England. It was the burden of his letters to the queen that he was pressed and baited to do this. Charles himself was as far as ever from being cured of his insane optimism. He was still living in a world far removed from the realities of life. Of this there could be no more convincing illustration than the fact that he imagined the Scottish leaders were ready in the spring of 1646 to make common cause with Montrose in helping him against the English. At Newcastle he still vaguely believed he would escape the pressure of the Scots either by a foreign invasion—‘the gathering of a storm from abroad’—or by a revolution at home. On 28th May he was again urging on the queen the old fatal plan ‘to invite the pope and the other Roman Catholics to help me for the restitution of episcopacy upon condition of giving them free liberty of conscience and convenient places for their devotions.’ She was to acquaint Mazarin with the scheme and ask the assistance of France. As late as 30th November he assured the queen, ‘I am most confident that within a very small time I shall be recalled with much honour.’

It was therefore Charles’s policy to protract negotiations and discussions as long as possible. Parliament was preparing its Propositions to be submitted to him, but meanwhile the Scottish leaders who had gathered at Newcastle—Loudoun, Argyll and others—were very urgent that he should come to terms with them. There was one Scotsman for whom Charles had a liking more than for any of them; him he would be glad to see now to talk

over his difficulties with him. On 25th May Montreuil wrote to Cardinal Mazarin from Newcastle : ' The king was no sooner among the Scots than they pressed upon him the question of religion. . . . He has told them he would be glad to have Henderson one of their famous clergymen near him, and that he would contribute his part and do all that depended on him to clear up his doubts, and that even although he might not be absolutely satisfied he hoped he would be brought to give them satisfaction, if he saw it was necessary for the welfare of his people.' ¹ Such a request could not well be refused. Henderson we may be sure acceded to it reluctantly. To Charles episcopacy was a matter of conscience, but he had made it difficult for his opponents to believe that; they knew only that they thoroughly distrusted him. Even Baillie, royalist and conservative in all his sympathies, wrote at this time, ' Though he should swear it, no man will believe it that he sticks upon Episcopacy for any conscience.' The other party openly treated his debates as ' a pretence to gain time.' In his heart Henderson must have known that his task was a vain one, yet the Scots hoped against hope that the king might still yield, and they induced Henderson to meet Charles in friendly discussion. Sickness lay heavy upon him, his illness had gained ground, he was little able to travel. About the 15th of May he reached Newcastle; for seven weeks or thereby, from the middle of May till near the middle of July, Charles and he had much intercourse; their formal discussion on the rival claims of episcopacy and presbytery as it has come down to us was carried on by letters.

¹ *Montreuil's Correspondence*, i. p. 194.

The king's letters are said to have been transcribed by Sir Robert Moray, afterwards first president of the Royal Society, who also made copies of Henderson's for the king.¹ Charles opened with a letter on 29th May, writing again on 6th and 22nd June and on 3rd and 16th July. Henderson replied on 3rd June, again on 17th, and again on 2nd July. Wodrow says there was a reply to the king's last paper, but it was agreed to suppress it out of courtesy so that the king might have the last word. Apparently on this occasion, as at their previous meetings, Henderson left a favourable impression on the king: 'he expressed an uncommon esteem for his learning, piety and solidity.' Henderson wrote modestly and manfully: 'It is your Majesty's royal goodness and not my merit that hath made your Majesty to conceive any opinion of my abilities which (were they worthy of the smallest testimony from your Majesty) ought in all duty to be improved for your Majesty's satisfaction. And this I intended in my coming here at this time, by a free yet modest expression of the true motives and inducements which drew my mind to the dislike of Episcopal government wherein I was bred in my younger years in the University.' Charles on his side appears to have thoroughly enjoyed the debate: he conducted his argument with skill and ability; on such topics he was a true son of his father. He rested his case chiefly on the consent of the Fathers; Henderson founded his on Scripture alone; of course neither controversialist moved the other. The whole thing was unreal on the king's side. What he was really thinking is shown in a letter written in the middle

¹ Burnet, *Memoirs of the Dukes of Hamilton* (1677), pp. 277-8.

of the discussion (17th June) to the queen. He there amuses her with a sketch of the Scots and their parties—‘ a particular account of the humours of the Scots.’ He divides them into four ‘ factions ’ : Montroses, neutrals, Hamiltons, Campbells. ‘ They all seem to court me, and I behave myself as evenly to all as I can. . . . My opinion of this whole business is that these divisions will either serve to make them all join with me, or else God hath prepared this way to punish them for their many rebellions and perfidies. . . . Assuredly no honest man can prosper in these people’s company.’

What were Henderson’s private thoughts during those days ? Unfortunately he left no record. We are again reminded of the parallel of Knox and Mary. Knox formed a shrewd impression of Mary’s cunning, offering toleration to Scottish Protestants while she was assuring the Courts of France and Spain as well as the pope that she would make no compromise with Protestantism.

Charles was now playing the same game : there is little doubt Henderson read the same cunning and duplicity in Mary’s grandson.

V

THE END

EARLY in August alarming news reached London of Henderson's condition. His fruitless discussion with the king was followed by an equally fruitless attempt on the part of the commissioners sent to Newcastle by Parliament to come to terms with Charles on the Nineteen Propositions submitted to him. He was asked to agree to terms which were in substantial the same as the terms offered him at Uxbridge. There was still no hint of toleration. On 23rd July the first meeting took place between the king and the commissioners. The only reply Charles would give was a letter to the Speaker in which he said an immediate answer was impossible, but he proposed to come to London to treat personally. With this the commissioners had to be content, and they left Newcastle on 2nd August. This answer was simply another move in the game of delay. As early as 24th June Charles had written to the queen, 'All my endeavours must be the delaying my answer till there be considerable parties visibly formed, to which end I think my proposing to go to London will be the best put-off.' A settlement was hopeless on the lines proposed by Parliament; if it ever was possible it was too late now. On the one hand there was the king's oft-repeated declaration that his conscience forbade him to yield the point of episcopacy, but even if his difficulties had

been removed Cromwell and his party were now far more powerful than at Uxbridge, and they would not have submitted to an imposed Presbyterian Church with no provision for freedom for themselves.

The king's answer and the darkness of the outlook were the last blow to Henderson's hopes and health. The strain of work and disappointment was too much for his already enfeebled frame. On 7th August his friend Baillie wrote with too much truth, 'Mr. Henderson is dying, most of heart-break, at Newcastle.' His own feelings at this dark moment were those of Henderson and all the Scots: 'The king's answer has broken our heart; we see nothing but a sea of new horrible confusions.' He did his best to comfort his 'dear brother.' 'It is a part of my prayer to God to restore you to health and to continue your service at this so necessary a time: we never had so much need of you as now. . . . We know well the weight that lies on your heart; I fear this be the fountain of your disease. Yet I am sure, if you would take courage and digest what cannot be gotten amended, and if after the shaking off melancholious thoughts the Lord might be pleased to strengthen you at this time, you would much more promote the honour of God, the welfare of Scotland and England, the comfort of many thousands than you can do by weakening of your body and mind with such thoughts as are unprofitable.' A few days later, on 13th August, he again wrote his dying friend with hearty love and reverence, 'Your weakness is much regretted by many here, to me it is one of our sad presages of evils coming.' When those words were written Henderson was already in his

own house in Edinburgh. He went from Newcastle to Leith by sea, arriving there on 11th August.¹ Before he stepped on board the ship which bore him home he knew his work was done. As he laid down his task weariness and depression passed from his spirit. The exile, though he returned only to die among his own people, was cheered by the sight of his native land, and he felt a deeper joy as he thought of his landing on another shore where a greater welcome awaited him. His friends found him 'very weak and greatly decayed in his natural strength.' He was able one evening to dine with Sir James Stewart, and seemed exceedingly cheerful and hearty. After dinner he asked his host if he had not observed him more than ordinarily cheerful. Sir James answered he was pleased to find him so well as he was. 'Well,' said the other, 'I am near the end of my race, hasting home, and there was never a schoolboy more desirous to have the play than I am to have leave of this world. In a few days (naming the time) I will sicken and at such a time die. In my sickness I will be much out of ease to speak anything, but I desire you may be with me as much as you can, and you shall see all will end well.' 'All fell out as he had foretold. I think it was a fever he fell into, and during much of it he was in much disorder, only when ministers came in he would desire them to pray, and all the

¹ Of this last journey a pathetic little record has come to light only the other day. The account of Sir Adam Hepburn of Humble, Treasurer of the Scots Army, contains in a miscellaneous list of 'extra charges' a brief entry under date Aug^r. 29, 1646, in these words: 'Paid to Ro^t Stewart in Leith for fraught and passadge of Mr. Alex^r Henrysounne from Newcastle to Leith p^t receipt £60 0 0.' Terry's *The Army of the Covenant* (1643-1647), ii. p. 395. The £60 was Scots money, equal to £5 sterling.

time of prayer he was still, composed, and most affectionately joined.' Sir James and another friend stood at the foot of his bed as he was dying : suddenly he opened his eyes and, with a glance upward ' brighter than any sparkle of a diamond,' expired.¹

After his death there was found among his papers a brief writing which doubtless reflects his latest and deepest thoughts. In it he declared himself ' most of all obliged to the care and goodness of God for calling him to believe the promises of the gospel and for exalting him to be a preacher of them to others ; and to be a willing though weak instrument in this great and wonderful work of Reformation which he earnestly beseeched the Lord to bring to a happy conclusion.'

His death took place on the 19th of August 1646, in his sixty-third year. He died in his own house, the house provided for him by the Town Council some years before. His will is dated the 17th day of August, ' given up by himself weak in body and perfect in spirit at his dwelling house near unto the High School.' On the 21st he was buried in Greyfriars churchyard. The Commission of the General Assembly was then sitting ; they went together to perform to their distinguished brother their last duty,² and he was laid in his tomb with every mark of grief and honour.

Aiton states (without giving his authority) that he was laid to rest in St. Giles churchyard, and that at a later date his body was reinterred in Greyfriars yard when the Parliament Square was formed.

Wodrow, followed by M'Crie, makes no mention

¹ *Wodrow Correspondence*, iii. p. 33 ; *Analecta*, i. p. 358.

² *General Assembly Records*, 1646-7, pp. 38-9.

of St. Giles churchyard, and it is highly improbable that he was buried there. The new Parliament House was completed in or about 1639, and all traces of the cemetery must have been obliterated then if not earlier. The use of St. Giles churchyard as a burying ground had in all likelihood ceased many years before. The Greyfriars yard was granted by Queen Mary to the Town Council for the purpose of a public burying ground in 1562, and it was in use very soon after. From that time onwards the old burying ground of St. Giles was gradually forsaken and neglected. The Nether kirkyard of the High Kirk was closed up probably for the last time in September 1585.¹

A monument was erected over the grave by his nephew George Henderson, a 'storied urn' resting on a quadrangular pedestal. Each of the four sides bears an inscription in Latin or English, setting forth his praises in copious language after the manner of the times. It was also unhappily in the spirit of the Restoration that when episcopacy returned the inscription was in 1662 defaced or obliterated by a platoon of soldiers acting on an order of Parliament. After the Revolution of 1688 the inscription was restored.

It is fitting that close by Henderson's grave in this historic ground a mural tablet should bear the great name of William Carstares, who carried on into happier days the succession of statesmanship in the Church of Scotland.

In 1877 a granite tablet set in freestone was built into the south wall of the nave of the old

¹ Moir Bryce, *History of the Old Greyfriars Church*, p. 34. The earliest Greyfriars Burial-Register now extant goes no further back than 1658 and throws no light on the question. The Registers of earlier date have been destroyed or lost.

church at Leuchars, and transferred some four years ago to a new porch. This memorial, erected by the liberality and exertions of a St. Andrews lady, Miss Mary Webster, commemorates Henderson in simpler and terser language as 'the distinguished leader of the Church of Scotland in times of difficulty and danger.'

Chiefly because it is a remarkable though undesigned tribute by his enemies to the influence of Henderson's name is the story worth recalling that he repented of the part he had played in his dealings with the king, and died of grief and remorse on that account. So ridiculous a fable needs no contradicting to one who reads his life with any real understanding, but the partisans of the king thought to make some party capital out of it. Very early after his death the rumour was circulated. On 2nd October Baillie writes to his cousin Spang in Holland, 'The false reports which went here of Mr. Henderson are, I see, come also to your hand.' He adds, as one might expect, 'Believe me, for I have it under his own hand a little before his death that he was utterly displeased with the king's ways, and ever the longer the more, and whoever say otherwise I know they speak false.' Such a testimony should have been sufficient if any were needed, but the story was too useful to be allowed to die. Clarendon and other royalist writers continued to repeat it. Two years after his death, in 1648, it blossomed out into a long 'Declaration by Mr. Alexander Henderson, Principal Minister of the Word of God at Edinburgh and Chief Commissioner from the Kirk of Scotland to the Parliament and Synod of England made upon his Death-bed.' Wodrow attributes it to 'some of the Scots

Episcopal scribblers who had fled to England for shelter and lived by what they could earn by their pen';¹ Lee goes further and adds that 'the disgraceful forgery has been traced to a Scotch episcopal writer.'² The General Assembly, on 7th August 1648, pronounced the Declaration a forgery. They were moved by 'the tender respect which they do bear to his name which ought to be very precious to them and all posterity for his faithful service in the great work of Reformation in these kingdoms wherein the Lord was pleased to make him eminently instrumental' to pass an Act after full inquiry. They found the whole story of the alleged Declaration to be nothing but 'gross lies and impudent calumnies.' Wodrow thought the forgery a clumsy one; there was nothing in it, he said, that in the least resembled the nervous solid sententious style of Henderson. But his detractors were not ashamed to repeat their calumnies and a war of pamphlets, profitless now to recall, went on for many years.³

To his contemporaries Henderson was first and foremost the great churchman of his day, the Restorer and Reformer of their beloved national Church, second only to Knox. Their estimate of him is probably best expressed in the words of Baillie: 'He ought to be accounted by us and the posterity the fairest ornament after John Knox of incomparable memory that ever the Church of Scotland did enjoy.' But in an age of revolution the affairs of Church and State were so closely intertwined that the leading churchman became

¹ *Wodrow Correspondence*, iii. p. 263.

² *History of the Church of Scotland*, ii. p. 306.

³ See Ludlow's pamphlet, *Truth brought to Light* (1693), in answer to Dr. Hollingworth.

in spite of himself a leading statesman too. In both capacities he impressed his countrymen as, taken all in all, their most massive and sagacious leader, courageous yet cautious, bold yet conciliatory, a man of energy, skill and resource. He was no pushing ambitious ecclesiastic, rather was he unobtrusive and retiring, yet to him churchmen and politicians looked for guidance in every emergency. Because he was a Presbyterian minister he filled no office of State, but he wielded power greater probably than any other man in Scotland. He was the oracle of the party and was entrusted with the negotiating of many difficult affairs both in Church and State, a task for which he was admirably fitted by his practical sagacity combined with an equable temper and a gentleness and charm of manner rare in those days. In England too he produced the same impression of high character and high capacity. 'Alexander Henderson, the chief of the Scottish clergy in this reign,' says an Anglican writer, 'was learned, eloquent and polite, and perfectly well versed in the knowledge of mankind. He was at the helm of affairs in the General Assembly in Scotland, and was sent into England in the double capacity of a divine and plenipotentiary. He knew how to rouse the people to war or negotiate a peace: whenever he preached it was to a crowded audience, and when he pleaded or argued he was regarded with mute attention.'¹ From friendly and hostile quarters alike, from contemporaries and moderns, comes a remarkably unanimous chorus of praise. Bishop Guthrie, no friendly critic, said of him that 'in gravity, learning, wisdom and state-policy

¹ Granger, *Biographical History of England* (ed. 1779), ii. p. 199.

he far exceeded any of the Presbyterian ministry.' Andrew Lang describes him as the most powerful minister in Scotland, 'who conducted himself like a gentleman of honour now as always.' The note that is struck again and again by those who knew him best is the note of moral greatness in his character—a man unselfish, humble, stainless. When Maxwell, ex-bishop of Ross, in whom some bitterness may well be excused, sneered at him as 'the Scotch pope,'¹ Baillie was able to claim in reply, 'A more modest and humble spirit of so great parts and deserved authority with all the greatest of the Isle lives not this day in the Reformed Churches.'² The open secret of his attraction and influence cannot be better told than it was by a brother minister in Fife who enjoyed much helpful intercourse with him: 'I love you, sir, because I think you are a man in whom I see much of the image of Christ, and who fears God.'

We can understand how in the public life of Scotland in that hard and rough age a man of so rare and fine a spirit stood out pre-eminent, the most trusted and best loved among them all.

The National Covenant, for which he was so largely responsible, showed the true instinct of leadership in a great crisis. It was in a line with the religious traditions of Scotland, and combined the appeal to religious and political motive which united Scotland as one man. The movement was led from first to last with remarkable skill, and it left its permanent stamp on the religion and politics of Scotland. The triumph of 1689 was still a long way off, but it anticipated that day and prepared the way for it.

¹ In *The Burden of Isachar*.

² *Historical Vindication*, p. 45.

The later Covenant belongs to a totally different category, and the policy it expressed was a mistaken one. It was not advocated by Henderson as an instrument to enforce an alien creed or system on an unwilling country, but to promote unity and peace between two nations believed to be already in agreement on those matters. But it was entered into under serious misapprehension as to the state of feeling and opinion in England, and it was enforced in a way that wrecked any prospect of success it ever had.

The point at which Henderson's policy shows at its weakest was in refusing to accept a settlement making room for toleration when the lessons of the Civil War had shown that to be inevitable, and in clinging to the League and Covenant when it had become evident that conditions were so altered that it had ceased to be (if it ever had been) practicable. But it is fair to remember that ere that time came Henderson was already worn out by disease, he had no longer the vigour of mind or body to grapple with a new situation. Had ten years more of life and health been granted him the course of events in Scotland might have been very different. The misfortune was he left no successor. After his death, when the Scots army had returned home and the League was at an end, the Church still adhered to the Covenant. The story of those later years no Scotsman can read without indignation and sorrow. Endless miseries fell on the country and humiliation on the Church. The country was involved in disastrous war with England. The Church was split into two irreconcilable factions, and the division fatally weakened her. She was dragged into ruinous political entanglements : she stooped to the deep

degradation of forcing the dissolute Charles II. to swear the Covenant, an oath which the Covenanters knew or ought to have known was a piece of sheer hypocrisy. 'We did sinfully both entangle the nation and ourselves,' one of them confessed, 'and that poor young prince, making him sign and swear a covenant which we knew he hated in his heart.' One cannot believe that Henderson would have consented to drag the Church through the mire of those disgraceful traffickings. When the Stewarts returned the Covenanters suffered grievously, but their sufferings were their real contribution to Scotland. They suffered for something better than the Covenant. Their courage and constancy shone out against the dark background of ferocious persecution. The martyr deaths of the moss-hags and the Grassmarket burned into the Scottish heart a deeper hatred of lawless oppression and a warmer attachment to the faith in which those humble peasants died. They lost their earthly all, but they found an imperishable place in the hearts of the Scottish people, in their history and their literature. Their names were revered and their story enriched the lifeblood of their country. 'A Scottish child,' says Stevenson recalling his own childhood, 'hears much of shipwreck, outlying iron-skerries, pitiless breakers and great sea-lights; much of heathery mountains, wild clans, and hunted Covenanters.' The hunted Covenanters have taken their place among the nation's heroes with Wallace and Bruce and many another champion of faith and freedom who have taught her people to value 'a moral rather than a material criterion for life.'

VI

HENDERSON'S WORK FOR EDUCATION

THE Reformed Church of Scotland was from the first the friend and champion of Education. Knox with a statesman's mind laid down the lines of a national scheme. Melville, a brilliant scholar, was the reformer of University education, widening its scope and breathing into it the fresh life of the Renaissance. Henderson, their successor as Church leader, inherited also their zeal for Education. Melville's name is associated with Glasgow and St. Andrews, Henderson is identified with Edinburgh. But before he became Rector of Edinburgh College, the Church under his leadership had turned her attention to the educational needs of the country. The great Assembly of 1638 found time to deal with schools and colleges. The old Acts of Assembly were revived which required that 'the minister of the parish, the Principal, regents and professors within colleges, and masters and doctors of schools be tried concerning the soundness of their judgment in matters of religion, their ability for discharge of their calling, and the honesty of their conversation.' It gave directions also to presbyteries for planting schools in landward parishes and 'providing of men able for the charge of teaching of the youth, public reading and precenting of the psalms, and the catechising of the common people, and that means be provided for

their entertainment in the most convenient manner that may be had according to the ability of the parish.' That and successive Assemblies in the years following show a record of vigorous work. They appointed visitations of schools and colleges by Commissions of Assembly. The Church records of those years bear evidence of visitations of the Universities of St. Andrews, Glasgow and Aberdeen, and of overtures dealing with the planting of schools. In 1642 the Assembly adopted overtures to the effect that 'every parish would have a Reader and a school where children are to be bred in reading, writing and grounds of religion. Where Grammar schools may be had as in burghs and other considerable places that they be erected. Anent these schools every minister with his elders shall give account to the presbyteries at the visitation of the kirk. Because this hath been most neglected in the Highlands, Islands and Borders, therefore the ministers of every parish are to instruct by their commissioners to the next General Assembly that this course is begun. And because the means hitherto named or appointed for schools of all sorts hath been both little and ill paid the Assembly would supplicate this Parliament that they would find out how means shall be had for so good an use, especially that the children of poor men (being very capable of learning and of good ability) may be trained up according as the exigence and necessity of every place shall require. And that the commissioners who shall be named by this Assembly to wait upon the Parliament may be appointed to represent this to His Majesty and the Parliament. The Assembly would supplicate the Parliament that for youths of the finest and best

spirits of the Highlands and Borders maintenance may be allotted (as to bursars) to be bred in Universities.' Specially admirable were the efforts of the Church to open the path of learning to sons of poor men. It was enacted that every presbytery consisting of twelve ministers should maintain a bursar, and where the number was fewer than twelve they were to be joined with members of another presbytery whose numbers exceeded twelve. Provision was thus made for the college expenses of one young man on an average from every presbytery. The Assembly of 1645 adopted overtures highly instructive as showing the Church's enlightened interest in the higher walks of learning as well as in good order in grammar schools and colleges. They ordained that every grammar school was to be visited twice a year by visitors appointed by the presbytery and kirk session in landward parishes and by the Town Council in burghs with their ministers, and where Universities are by the Universities, with consent always of the patrons of the school, that both the fidelity and diligence of the masters and the proficiency of the scholars in piety and learning may appear and deficiency censured accordingly, and that the visitors see that the masters be not distracted by any other employments which may divert them from diligent attendance. For the remedy of the great decay of poesy and of ability to make verse, and in respect of the common ignorance of prosody, no schoolmaster was to be admitted to teach in a grammar school but such as after examination shall be found skilful in the Latin tongue not only for Prose but also for Verse. There is a modern touch in the article which provides, 'Neither the

Greek language nor Logic nor any part of Philosophy be taught in any grammar school to young scholars who thereafter are to enter to any College unless it be for a preparation to their entry there.' An entrance examination in Latin is provided for: 'That none be admitted to enter a student of the Greek tongue in any College unless after trial he be found able to make a congruous Theme in Latin, or at least being admonished of his error, can readily show how to correct the same.' Here is a very practical stimulus to study: 'That none be promoted from an inferior class of the ordinary course to a superior unless he be found worthy and to have sufficiently profited; otherwise that he be ordained not to ascend with his co-disciples, and if he be a bursar to lose his bursary.' The giving of degrees is to be carefully guarded: 'It is a disgrace to learning and hindrance to trades and other callings and an abuse hurtful to the public that such as are ignorant and unworthy be honoured with a degree or public testimony of Learning; that therefore such trials be taken of students, especially of Magistrands, that those who are found unworthy be not admitted to the degree and honour of Masters.'

It is evident from these and other provisions that the quickened life of the Church found an expression in a real desire to improve the state of schools and colleges, and that the Assembly's care extended from practical details up to the elegant accomplishments of classical scholarship. The charge which has often been made against the Covenanters that they were men of so little taste and learning that they discountenanced all elegant and classical study is a groundless misrepresentation.¹

¹ Lee, *The University of Edinburgh from 1533 to 1830*, p. 86 (1884).

That much of this alert and intelligent interest over the whole field of education was due to Henderson is easy to believe when we learn that during the short period of his tenure of the office of Rector of the College of Edinburgh (1640-46), notwithstanding his other duties and his long absences, he gave an immense stimulus to that College. 'He was,' in the opinion of a distinguished modern educationist, himself a Principal of the same University, 'the ablest educationist and the man of clearest insight of all who had had to do with the College since its foundation. He saw what was wanted and had the energy and the tact necessary for securing it.'¹ Robert Rollock, the first Principal, held the combined offices of Principal and Rector, but later the Rectorship was made a separate office. It was treated by Henderson's predecessors as merely nominal and was in abeyance for nine years before 1640, when the Town Council, whose connection with the College was one highly creditable to them, decided to revive it. The Rector was to be appointed annually with six assessors. He was to be 'the eye of the Town Council,' and the medium of communication between the College and the Council. He was to see that the Principal and regents fulfilled their duties. He was to advise the Council as to College finances, and he was to preside at all ceremonies. A silver mace was to be carried before him, and one of the students was appointed to be his bedell or macer. The finances needed to be strengthened, and Henderson exerted himself in various directions for that end. The office of Treasurer was created, and the Rector succeeded in raising a loan of

¹ Sir A. Grant, *The Story of the University of Edinburgh*, i. p. 209.

£21,777 (Scots) for College purposes. He induced wealthy citizens to gift or bequeath money ; in his time the number of such benefactions was notably large ; he omitted no opportunity of advancing the prosperity of the University, and by common consent filled his office with great lustre.¹ It was owing to his influence that the Parliament of 1641 after much difficulty assigned to the College the rents of the bishoprics of Edinburgh and of Orkney. It was found, however, that only some remnants of these remained, 'both were spoiled by prior gifts.' Henderson and the Church made strong efforts at this time on behalf of education generally. Glasgow and Aberdeen Universities benefited as well as Edinburgh : the revenues of the bishopric of Galloway under some deductions were given to Glasgow, to Aberdeen went those of the Aberdeen bishopric. The struggle for financial support to churches and schools or colleges was always a hard one. 'We had here,' says Baillie, 'few or no real friends' : powerful nobles grasped at everything for themselves.

The Rector took a special interest in obtaining a building for the library of Edinburgh University : in 1644 a beginning was made and it was continued as money came in from generous donors. Before the new building existed the Rector missed no chance of picking up suitable books to fill its shelves, as witness these entries from the Edinburgh Treasurer's Accounts : '1641, March 26th, Books for College Library bought at London by Mr. Alexander Henderson' ; and again, '1641, Augt. 11th, £49. 9. 6 Sterling paid to Mr. Alexander Henderson for books bought at London for College Library.'

¹ Dalziel, *History of University of Edinburgh*, ii. pp. 136-7.

St. Andrews, his own Alma Mater, also benefited in its library from Henderson's generosity. He was a member of a commission appointed by the General Assembly of 1642 to visit that University. The visitation took place in August of that year. The commission found that great necessity existed for a public library in the University 'for promoting the studies of the masters and scholars, and that for the present there is neither a sufficient house for the Library nor ways and means thought upon for furnishing of books.' The need was generously met by Henderson himself. He 'being first a student and thereafter a Regent in the University, to give testimony of his thankfulness and affection to the flourishing of the University in learning, did willingly and of his own accord make offer of the sum of one thousand pounds (Scots) which was thought by the commissioners sufficient both for perfecting the house appointed for the Library and for the Public School destined for the solemn meetings of the University, which was thankfully accepted by the whole commissioners.' ¹

It was a happy thought of Dr. Maitland Anderson, the present librarian of the University, when the most recent addition to the library was built, to insert the Henderson arms over the entrance doorway alongside those of King James VI., the king being the founder of the library and Henderson the first donor of buildings.

Another benefaction made by Henderson in the interests of Education was a gift to his old parish of Leuchars. He 'mortified' a house, garden and

¹ *Scottish Universities Commission (Evidence)*, 1826, p. 204; *Ibid.*, 1837, iii. p. 210.

croft with two acres or thereby of land north-west of the village and £4, 10s. 6d. sterling to the holders of the office of schoolmaster at Leuchars. The land, known by the name of Pittenbrog, was bought by him in 1630. The house is said to have been used for some time as a manse, and afterwards as the schoolmaster's house till about 1870, when it was pulled down.¹

When he sat down to write his will he did not forget his native parish. He bequeathed the sum of 2000 merks to be left in charge of the minister of Creich for behoof of the schoolmaster of Luthrie. The terms of the will indicate that part of this sum he intended to be used for building a school-house and the rest as an addition to the schoolmaster's salary. But it appears that the interest of the whole sum was paid over annually to the schoolmaster.²

In other ways besides these Henderson strove to advance the cause of learning. In Edinburgh University he restored, after thirteen years' intermission, classes for honours, or 'circles' as they were then called. We may trace his influence in the appointment for the first time of a professor of Hebrew. Up till then no provision existed for the systematic teaching of Hebrew, though a large number of the graduates entered the ministry. Originally one of the regents, and later the professor of Divinity, read some Hebrew with the students, but the work was perfunctory. The General Assembly, probably at his suggestion, resolved that 'it were good for the Universities to send abroad for able and approved men' to be pro-

¹ *Old Statistical Account of Scotland*, xviii. p. 600.

² *Ibid.*, iv. p. 229.

fessors of Divinity. He probably felt that the home learning needed replenishing, as in former days, from the Universities of the Continent. A learned foreigner, Julius Conradus Otto, was appointed to the new chair as professor of Hebrew and Oriental tongues, and held the post till 1656.

Unfortunately Henderson was cut off too soon for the interests of Edinburgh College and of Scottish education. His hand was in all the movements for University reform in his day. 'It would have been an inestimable advantage,' says the latest historian of Edinburgh University, 'for the Universities of Scotland if his life could have been prolonged for twenty years.'

VII

WRITINGS—PORTRAITS

HENDERSON left behind him no systematic works. Such writings as we have are chiefly controversial—party manifestoes, State papers, and the like, called forth by the conflicts in which he bore a leading part. These have been already noticed in earlier chapters. The only treatise is the tract on the Government and Order of the Church of Scotland. Besides that there are only some sermons and addresses. A volume of these has been collected and published.¹ His private letters have nearly all disappeared. How great is our loss we may guess from Rutherford's one grateful word, 'I received your letters. They are as apples of gold to me.' Of his literary style we have consequently very inadequate materials on which to form a judgment. It is not free from the cumbrous and loose character of much of the prose writing of the day, but sometimes he writes with vigour and dignity. Here is an admirable passage from the tract on the Government and Order of the Church of Scotland:—

'Here there is a superiority without tyranny for no minister hath a papal or monarchical jurisdiction over his own flock, far less over other pastors and

¹ Edited by R. Thomson Martin (1867).

over all the congregations or a large diocese. Here there is a parity without confusion and disorder, for the Pastors are in order before the Elders and the Elders before the Deacons: every particular Church is subordinate to the Presbytery, the Presbytery to the Synod, and the Synod to the National Assembly. One Pastor hath priority before another for age, for zeal, for gifts, for his good deservings of the church, each one honouring him whom God hath honoured and as he beareth the image of God which was to be seen amongst the Apostles themselves. But none hath pre-eminence of title or power or jurisdiction above others; even as in nature one eye hath not power over another, only the head hath power over all, even as Christ over His Church. . . . And lastly here there is a subjection without slavery, for the people are subject to the Pastors and Assemblies, yet there is no Assembly wherein every particular Church hath not interest and power, nor is there anything done but they are if not actually yet virtually called to consent unto it.

‘As they have done and suffered much for vindicating and maintaining the liberty of their Religion, that what belongeth unto God may be rendered unto God, so do they desire that according to the rule of righteousness each man have his own, and above all men that the things which are Caesar’s be rendered unto him, and to give him that which is God’s were a wronging both of God and Caesar. They join with the inward reverence of their heart external honour and obedience in all things lawful.’

Another extract, this time from a sermon,

illustrates the tender and gracious spirit which went with harder and sterner elements to the making of the seventeenth-century character:—

‘ There are few or none of the children of God in whom something may not be marked which tends to infirmity, and there be few or none of them in whom something has not been marked ; and I may say more, who of them is there in whom God has not marked many things ? Before the spirit of regeneration come, and we are in nature, then are we wholly in darkness and ill ; and when we are in glory then we are altogether good and in light ; but while we are here into the state of grace there is a mixture of good and ill in us, of light and darkness. And if so be it be true grace we have, we will see it to be so, and if it be true grace then that which is imperfect will be passed by and that which is good will be remembered. And this woman she made a lie yet that is passed by in silence, and only her faith is remembered ; and the Spirit of God speaking in Job says, “ Ye have heard of the patience of Job,” and yet there was much impatience in him, but there is no word of that. And all the saints of God while they are here have many infirmities and yet the Lord passes by all these and remembers only of that which is good in them. The Lord He is glad to put down His hand and gather up the smallest crumbs of faith and make something of them ; and not only does he this with Abraham or Moses or such worthies as these, but even Sarah He remembers her faith, and Rahab’s, and passes by all their ill—never a word of that. It is not so much as mentioned of some of them that there was such a thing. Yet

this is a matter of great comfort to the children of God who sees all their best actions to be greatly stained with infirmity, so as they think they rather deserve to be punished for their unbelief than to be rewarded for their faith. But this may comfort us if so be that our faith be true and sincere, albeit it be but weak, yet the Lord will accept that weak faith and will respect it, especially when it is unfeigned and it is a wise faith and there is a desire to have it increased.'

Of portraits of Henderson by far the best known is the picture at Yester in Lord Tweeddale's collection. Tradition associates it with the name of Van Dyck: it is an excellent piece of work, a vivid life-like presentation of a face with strongly-marked features. But it is probable that the earliest and most reliable portrait is the etching made by Hollar in 1641 during Henderson's stay in London.¹ Nothing is known of the history of the Yester portrait. Bishop Pocock saw it there in 1760. There is no certainty that it is the work of Van Dyck; it may be by some Dutch artist of the later seventeenth century after Hollar's print. The other portraits of Henderson appear to have been based upon the etching. When Aiton wrote (1836) one was at Hamilton Palace and one at Duff House; both were attributed to Jamesone. The former, mentioned by Pennant in his *Tour in Scotland* (1769), has been repainted, the latter was sold a good many years ago as of little value. There is a portrait in Edinburgh University and another in Glasgow University, neither of much

¹ See p. 245.

value. Recently another portrait was acquired for the Scottish National Gallery. It is less than life size, old and similar in type to the Yester portrait, but lacking in its precision and force.¹

¹ I am indebted to the courtesy of James L. Caw, Esq., Director of the Scottish National Gallery, for information about the Henderson portraits. See also his work, *Scottish Portraits*.

CHRONOLOGICAL TABLE

- 1560. Reformation in Scotland.
- 1566. James VI. born.
- 1567. Protestant Church established by Parliament.
- 1572 (Jan.). Convention at Leith: Episcopal polity introduced into the Church.
- (Nov.). John Knox died.
- 1581. Second Book of Discipline adopted by the Church.
- 1583. Henderson born.
- 1592. Presbyterian Magna Charta passed.
- 1599 (Dec.). Henderson matriculated at St. Salvator's College, St. Andrews.
- 1600 (Aug.). Gowrie conspiracy.
- (Oct.). Convention at Holyrood: diocesan Episcopacy introduced: three bishops appointed.
- (Dec.). First bishop admitted to Privy Council.
- 1603. Henderson graduated M.A.
- 1605. Gledstanes appointed Archbishop of St. Andrews.
- (July). Nineteen ministers met and constituted General Assembly at Aberdeen against the king's command.
- (Oct.). Fourteen ministers tried before Privy Council.
- 1606 (Jan.). Six ministers tried for treason.
- (July). Act passed restoring ancient estate of bishops.
- (Dec.). Convention at Linlithgow: king's scheme for constant moderators adopted.
- 1607. Episcopate restored to pre-Reformation number.
- 1610. Two Courts of High Commission established.
- (June). Glasgow Assembly: diocesan synods established.
- (Sept.). Spottiswoode and two bishops received Episcopal consecration in London from English bishops.
- 1611. Henderson licensed.
- 1612. Henderson settled at Leuchars: Parliament ratified Acts of Glasgow Assembly: Episcopacy established: Presbyterian Magna Charta rescinded.
- 1615. Spottiswoode appointed Archbishop of St. Andrews.
- 1616 (Aug. 13-18). Aberdeen Assembly.
- 1618 (Aug. 25-27). Perth Assembly: Perth Articles passed. Henderson received a call to Edinburgh.
- 1625. Charles I's Act of Revocation.

1633. Charles I. visited Scotland.
 (Aug.). Laud appointed Archbishop of Canterbury.
 (Sept.). Bishopric of Edinburgh created.
1634. New Court of High Commission established : Spottiswoode appointed Chancellor.
- 1634-5. Trial of Balmerino.
1636. Book of Canons published.
- 1637 (May). Service Book published.
 (July 23). Attempted reading of Service Book in St. Giles : riot.
 (Aug.). Henderson and others charged to purchase copies of Service Book.
 (Aug. 23). Henderson and two others presented Bill of Suspension to Privy Council against the charge.
 (Aug. 25). Deliverance of Privy Council suspending the charge.
 (Oct. 17). Charles refused petitions against Service Book.
 (Oct. 18). Riot in Edinburgh : General Supplication prepared against Service Book, Book of Canons, and bishops.
 (Nov. 15). The Tables first formed.
- 1638 (Feb. 19). Proclamation at Stirling : agitation against Service Book forbidden under pain of treason.
 (Feb. 22). Proclamation made at cross of Edinburgh : protestation read by Wariston : Organisation of the Tables completed.
 (Feb. 23). Decision to Draw up National Covenant.
 (Feb. 28, Wed.). National Covenant signed in Greyfriars Kirk by nobles and barons.
 (Mar. 1, Thur.). National Covenant signed by ministers and commissioners of burghs.
 (Mar. 2, Frid.). National Covenant signed by people at large in Trinity Kirk.
 (Apr. 1, Sunday). National Covenant sworn by nobles and people in Edinburgh churches.
 (May) Henderson received freedom of Dundee : elected minister of Greyfriars Church, Edinburgh.
 (June 7). Marquis of Hamilton, King's Commissioner, reached Edinburgh.
 (Nov. 21). Meeting of Glasgow Assembly : Henderson Moderator.
 (Nov. 29). The Commissioner quitted the Assembly, and ordered it to be dissolved.
 (Dec. 20). Glasgow Assembly rose.
- 1639 (Jan. 2). Henderson elected by Town Council of Edinburgh minister of the High Church, Edinburgh.
 (June). Charles with his army at Birks, near Berwick.
 (June 5). Scottish Army under Leslie at Duns.
 (June 11-18). Pacification of Birks.

- 1639 (Aug.). General Assembly passed first Barrier Act.
- 1640 (April 13). King summoned Short Parliament.
 (May 5). Short Parliament dissolved.
 (Aug. 20). Scots Army crossed Tweed at Coldstream.
 (Aug. 28). Battle of Newburn-on-Tyne.
 (Sept.). Great Council of Peers at York.
 (Oct.). Negotiations at Ripon : armistice.
 (Nov. 3). Long Parliament met.
 (Nov. 15). Henderson and other Scots Commissioners reached London.
 (Nov.). Negotiations for Treaty between England and Scotland begun.
 (Dec.). Henderson appointed Rector of Edinburgh University.
 (Dec. 11). Root-and-Branch petition to Parliament.
- 1641 (Mar.) Trial of Strafford.
 (Mar.-July). Scots demand for Uniformity considered by Parliament and rejected.
 Castell's petition, supported by Henderson, presented to Parliament.
 (July). Henderson returned to Scotland : elected Moderator of General Assembly the second time.
 (Aug.). Treaty completed : Charles left London for Edinburgh.
 (Aug. 14). Charles entered Edinburgh.
 (Aug. 17). Charles met Scottish Parliament.
 (Nov. 18). Charles left Scotland for the last time.
- 1642 (Aug. 22). Civil war broke out in England.
 (Oct. 23). Battle of Edgehill.
- 1643 (Feb.). Mission of Loudoun and Henderson to the king at Oxford. Henderson met Jeremy Taylor at Oxford.
 Conference between Henderson and Montrose near Stirling Bridge.
 (June). Death of Hampden near Chalgrove Field : defeat of Fairfax at Adwalton Moor.
- 1643 (July 1). Westminster Assembly began its sittings.
 (July). Waller defeated at Lansdown and Roundway Down.
 (Aug. 2). General Assembly met : Henderson Moderator for third time.
 (Aug. 7). English Parliamentary Commissioners arrived at Leith to ask military aid from Scotland.
 (Aug. 17). Solemn League and Covenant adopted by General Assembly and Convention of Estates.
 (Aug. 18). Eight Commissioners chosen to represent Church of Scotland in Westminster Assembly.
 (Aug. 26). Solemn League and Covenant presented to English Parliament.
 (Sept. 15). Henderson, Gillespie, and Lord Maitland took their seats in Westminster Assembly.

- 1643 (Sept. 25). Solemn League and Covenant subscribed and sworn by members of House of Commons and of Westminster Assembly.
- 1644 (Jan.). Scots army entered England.
(July). Battle of Marston Moor.
(Sept.). Cromwell raised in House of Commons the question of toleration for Independents.
(Dec.). Committee of Estates desired impeachment of Cromwell as an incendiary.
- 1645 (Jan.). Presbytery established in England by resolutions of Parliament.
(Jan.—Feb.). Uxbridge Conference between king and Parliament.
(Feb. 2). Montrose's victory at Inverlochy.
(Feb. 22). Uxbridge Conference broken off.
(June). Battle of Naseby.
(Sept.). Montrose defeated at Philiphaugh.
- 1646 (May). Charles betook himself to Scots army at Newark.
(May 15). Henderson came to Newcastle at king's request.
(May 29—July 2). Discussion before Charles and Henderson at Newcastle.
(Aug. 11). Henderson arrived at Leith from Newcastle.
(Aug. 19). Henderson died in Edinburgh.
(Dec.). Confession of Faith completed and presented to English Parliament.
- 1647 (Aug.). Confession of Faith adopted by General Assembly.
- 1648 (July). Both Catechisms adopted by General Assembly.
- 1649 (Feb.). Scottish Parliament approved Confession of Faith and Catechisms.
1650. Rouse's metrical version of Psalms authorised by General Assembly and published for public use.

INDEX

- ABERDEEN** doctors, 153-5, 185-6, 220.
Aboyne, Viscount, 202, 300.
Act of 1592, *see* Magna Charta of Church of Scotland.
Act of Revocation, 48.
Alexander, Sir William, of Menstrie, 349.
America, Westminster Standards in, 347, 348.
Anderson, Dr. Maitland, 388.
Antrim, Earl of, 300, 302.
Argyll, Earl of, 186, 216, 223, 233, 277, 278, 279, 290.
Articles of Perth, *see* Perth Articles.
Australia, Confession of Faith in, 348.

BAILLIE, ROBERT, 2, 78, 120, 243, 309, 344.
Balcanguhal, Dr., 195.
Balfour of Burleigh, Lord, 79.
 — **Sir James**, 49, 164 *n.*, 216.
Balmerino, Lord, 55-6, 72, 118, 319.
Barrier Act of 1639, 221; of 1697, 221.
Baxter, Richard, 320.
Beattie, Professor James, 351.
Bellenden, Bishop of Dunblane, 53.
Benson, A. C., 78 *n.*
Berriedale, Master of, 129.
Bill of Suspension against Service Book, 81.
Birks, Pacification of, 205-6, 208.
Bishops, 56, 60, 80, 88, 169-70, 183.
'Black Acts,' 24.
Black, David, 26, 27.
Borthwick, Eleazar, 130.
Boyd, Zachary, 350.
Brisbane, Matthew, 312.
Bristol, Earl of, 238, 239, 245, 255.
Bruce, Robert, of Kinnaird, 7, 31.
Buchanan, George, 196-7.
Buckle, H. T., 23.
Burnet, Bishop, 79, 142, 214, 229-30.
 — **Robert**, 116.

CALAMY, EDWARD, 270.
Calderwood, David, 10, 46.
Canada, Confession of Faith in, 348.
Canons, Book of, 61.
Cant of Pitaligo, 163.
Carlyle, Thomas, 347.
Carmichael of Kilconquhar, 10, 11.
Caryll, Joseph, 270.
Cassillis, Lord, 121, 131, 309.
Castell's Petition to Parliament, 262.
Catechism, Shorter, 337, 344, 345, 346.
Ceylon, Confession of Faith in, 348.
Chambers, Robert, 125.
Charles I., and Laud, 48; his ignorance of Scotland, 48, 242; visits Scotland, 50-1; crowned at Holyrood, 52; character of his bishops, 56, 59-60, 80-1; rejects petitions against Service Book, 91; proclamation about Service Book, 107; regards National Covenant as treasonable, 141; puts forward King's Confession to defeat it, 160; raises an army against Covenanters, 203; at Birks, 206; his duplicity, 213; prorogues Parliament, 225; his reason for this, 226; visits Scotland a second time, 272, 276; seeks support of Scotland against English Parliament, 284; Scotland's distrust of him, 298; seeks to remove it, 299; his attitude at Uxbridge

- Conference, 356, 357; refuses to accept defeat, 363; professes to negotiate, 364; his duplicity, 364; schemes for foreign invasion, 365; effects of his retiral to Scots army, 366; professes desire to meet Henderson, 368; discussions with him, 368-9.
- Church of Scotland, 22, 23, 31-2.
- Clarendon, 242, 244, 341, 355, 376.
- Clarke, Rev. Samuel, 2.
- Cockburn, Lord, 117.
- Coltness Papers, account of secret messages from Lord Saville to Covenanters, 229-30.
- 'Combiners,' early name for Covenanters, 149.
- 'Combustion,' 86.
- Commission of General Assembly, 287, 288, 292.
- Confession of Faith, 344, 345.
- Congregationalism, 273.
- Constant Moderatorships, 35.
- Convention of Leith, 18.
- Covenanters, 149, 176 *n.*, 194, 200, 381, 385.
- Crawford, George, 125.
- Creich, 3, 389.
- Cromwell, Oliver, 251, 257, 269, 303, 329, 330, 331, 334, 335, 352, 360, 363, 372.
- D'EWEES, SIR SYMONDS, 302.
- Dickson, David, 72, 74, 99, 115, 153, 215.
- Discontent in Scotland at James's Church policy, 43.
- Douglas, Robert, 309.
- Drummond of Hawthornden, 56.
- Dugar, John, 173.
- Dunbar, Earl of, 36-7, 43.
- Dunfermline, Earl of, 205, 206, 226, 238.
- Dunlop, Alexander Murray, 117.
- Durie, John, 250.
- EDGEHILL, battle of, 291, 303.
- Eliot, John, missionary to Indians, 269.
- Episcopacy in Church of Scotland, 17-18, 31-2, 182.
- Essex, Earl of, 303, 351.
- FAIRLIE, JAMES, 135.
- Featly, Daniel, 270.
- Finch, John, Chief Justice of the Common Pleas, 143, 240.
- Five Articles of Perth, *see* Perth Articles.
- Fletcher, James, 135.
- Forbes, Patrick, Bishop of Aberdeen, 13, 42, 154.
- Frost, his connection with secret messages from Lord Saville to Covenanters, 229, 230.
- GENERAL ASSEMBLY, 21, 22, 23, 33; at Aberdeen 1616, 9.
- General Supplication against Service Book, 93, 96, 104-5.
- Gerson, Chancellor of University of Paris, 199.
- Gillespie, George, 91, 243, 261, 309, 318, 344, 358.
- Glasgow, Assembly of 1610, 36.
- of 1638, 166, 173, 174, 182, 183, 184, 185, 382-3.
- Gledstanes, George, Archbishop of St. Andrews, 4, 5, 9.
- Glencairn, Earl of, 2.
- Gordon, parson of Rothiemay, 126.
- Gowrie Conspiracy, 30-1.
- Green Tables, *see* Tables.
- Grey of Wark, Lord, 304.
- Greyfriars Churchyard, 124-6, 375.
- Guthrie, James, 319.
- Guthry, Bishop, 72, 124-5, 311, 319, 378.
- HAMILTON, JAMES, Third Marquis of, 106, 130, 139, 142, 149, 150, 152, 156, 161, 164, 165, 172, 175, 176, 177, 178, 202, 215, 216, 277, 290, 299, 301.
- Sir John, Justice-Clerk, 106, 138.
- Hampden, John, 75, 140, 230, 272, 303.
- Hartlib, Samuel, 250.
- Hay, Sir John, Clerk Register, 90, 94, 107, 279.
- Henderson, Alexander, few personal details about him, 1; born at Luthrie, parish of Creich, 3; at St. Andrews College, 3; a

regent of philosophy, 3; licensed and settled at Leuchars, 5, 6; friendship with Gledstanes, 5; conversion, 8; joins Presbyterian party, 8; at Aberdeen Assembly, 1616, 9; at Perth Assembly, 1618, 10; proposed translation to Edinburgh in 1618, 10-11; disobeys Perth Articles, 11; before High Commission Court, 11-12; at St. Andrews conference on Perth Articles, 12; Moutry Burn, repairs to bridge, his connection with, 14; called to Aberdeen, 14; correspondence with Countess of Mar, 14-16; did he secretly stir up opposition to Service Book? 72-73; he petitions against it, 81; resolves to renew Covenant, 115; drafts National Covenant, 116; his character, 118; church buildings at Leuchars, 135; writes manifestoes for Covenanters, 144; visits Aberdeen, 163; opposes King's Confession, 160-1; protestation against it, 162; Moderator of Glasgow Assembly, 177; refuses to dissolve it at bidding of Royal Commissioner, 181; translated to High Church of Edinburgh, 189; his poor health, 189, *n.*; writes manifesto to people of England, 195; writes 'Instructions for Defensive Arms,' 196-9; political importance of this paper, 200; meets Charles at Birka, 206, 216; Covenant imposed on all subjects, 219; proposes Barrier Act, 220-1; writes manifestoes before Covenanters enter England, 234; preaches at Newcastle, 236; at Ripon, 238, 239; in London, 242, 243, 244; gives sittings to Hollar, 244-5; Rector of Edinburgh University, 247; intercourse with English puritans, 252; advocates abolition of Episcopacy in England and raises storm, 255; writes Scots' Demand for Uniformity, 256-7; Parliament refuses Scots' Demand in 1641, 262; supports Castell's petition to Parliament,

263; Moderator of General Assembly for second time, 271; seeks to advance Uniformity, 274; desires to retire from Edinburgh, 276; appointed Dean of Chapel Royal, 278; attacks upon by extremists, 289-90; at Oxford with petition to king, 292; badly received there, 293; discussions with Jeremy Taylor, 294; meets Montrose near Stirling Bridge, 297; Moderator of General Assembly for third time, 305; submits draft of Solemn League and Covenant, 306, 308; commissioner to Westminster Assembly, 309; why he advocated Uniformity, 314-15; the proposed impeachment of Cromwell, 331, 340; in Westminster Assembly, 341; answers Nye's attacks, 343; at Uxbridge, 354, 355, 359; his health declines, 361-2; agrees to meet Charles at Newcastle, 368; discussion with the king, 368-9; leaves Newcastle in dying condition, 373; dies at Edinburgh, 374; buried in Greyfriars churchyard, 374; his grave, 375; his Edinburgh homes, 276; memorial in Leuchars church, 376; alleged deathbed Declaration, 376; estimate of character and work, 377-9; as rector of Edinburgh University, 386-7; gifts to St. Andrews University, 388; to Leuchars, 388; to Creich, 389; as University reformer, 390; his private letters, 391; literary style, 391; portraits, 394.
Henrietta Maria, Queen of Charles., 290, 302, 303.
Hepburn, Sir Adam of Humble, 373 *n.*
Hertford, Marquis of, 359.
High Commission, Courts of, 36, 54.
High School Yards, Henderson's house in, 276, 374.
Hill, Dr., a Westminster Assembly divine, 267 8.
Hollar, Wenzel, etcher, 244-5, 344.
Home, Earl, 109.

Hope, Sir Thomas, 72-3, 110, 140, 165, 305, 308.

Hume Brown, Professor, 195, 212.

Huntly, Marquis of (George Gordon), 24, 26, 202.

INCIDENT, The, 280.

Independents in Westminster Assembly, 326, 328, 336, 361.

Information: Paper issued by the Tables, 114.

Inglis, John, Lord President, 134 n.

Irish Rebellion, 280.

JAMES VI., and Andrew Melville, 4; founds University Library at St. Andrews, 4, 5; his treatment of Robert Bruce of Kinnaird, 7-8; why he desired episcopacy in Church of Scotland, 18-19; consents to Act of 1592, 24-5; summons Assemblies on his own authority, 27; introduces diocesan episcopacy into Church of Scotland, 31-2; forbids meeting of General Assembly, 32; visits Scotland, 38; his character, 40-41; character of his bishops, 42; discontent with his church policy, 46, 47; its failure, 47; Confession of 1580, 115; author of metrical version of the Psalms (?), 349.

Jeffreys, Judge, 143.

Johnston, Archibald of Wariston. *See* Wariston.

KINNOUL, Earl of, 53.

Knox, John, 1, 18-19, 370.

LANARK, Earl of, 292, 298.

Lang, Andrew, 75, 379.

Large Declaration, the, 72, 167, 169, 195, 218.

Laud, Archbishop, in Scotland, 38, and Charles I., 48; ignorance of Scotland, 48, 242; second visit to Scotland, 52; advice to Charles about bishops, 53; and Service Book, 77, 78 n.; the king's counsellor on Scottish affairs, 106, 139; on Henderson, 191;

advises Charles to punish Scots, 191, 237.

Lay elders, rights of, 158.

Lee, Rev. Dr., on Covenanters, 176 n.

Leslie, Alexander, 131, 201, 204, 232.

Leuchars, 5, 6, 189 n., 388.

— church, 6, 376.

— church buildings at, 135.

Liberton's Wynd, Henderson's house in, 276.

Lindsay, Lord, 109, 123.

Linlithgow Assembly of 1606, 35.

Livingstone, John, 126, 130.

London, Treaty of, 245-8.

Long Parliament, at first attempts moderate Church reform, 252-3.

Lords of the Articles, 22.

Lorne, Lord, 97, 139, 160. *See* Argyll.

Loudoun, Lord (John Campbell), 101, 105, 118, 121, 122, 123, 131, 206, 216, 223, 226, 228, 238, 278, 284, 290, 292, 332.

Luthrie, 3.

MACKENZIE, SIR GEORGE, 143.

Mackinnon, Professor James, 24.

M'Crie, Dr., 74.

Magna Charta of Church of Scotland, 24-5, 37.

Maitland, Lord, 256, 309.

Maitland, Sir John of Thirlstane, 24-5.

Major, John, 199.

Manchester, Earl of, 330, 351.

Mar, Earl of, 18.

— Marie, Countess of, 14-16.

Marshall, Stephen, 270, 304, 340.

Masson, Professor, 162.

Maynard, John, 333, 334.

Maxwell, Bishop of Ross, 56, 63, 139, 379.

Melville, Andrew, 4, 22, 24, 34.

— James, 34.

Memories and Portraits, 241.

Mercurius Aulicus, 294, 320, 340.

Millar, Professor Hepburn, 351.

Milton, John, 335, 337.

Mitchell, David, 132.

Montgomery, tulcan Archbishop of Glasgow, 24.

Montreuil, 366, 368.
 Montrose, Earl of (James Graham),
 99, 124, 131, 153, 161, 202, 216,
 224, 235, 277, 279, 296, 297, 300,
 301, 336, 360, 361, 363.
 Montrose Assembly of 1600, 29-30.
 Moray, Sir Robert, 369.
 Morley, Viscount, 324.
 Morton, Regent, 18, 19.
 Moutry Burn, 14.
 Mowat, Roger, of Balquhollie,
 101.
 Mure, Sir William, of Rowallan,
 350.

 NAPIER, Lord, 54, 277.
 Natal, Confession of Faith in,
 348.
 National Covenant, The, 116, 121-3,
 127-34, 219.
 Newburn, Battle of, 236.
 Newbury, Battle of, 351.
 Newcastle Discussion, The, 367-70.
 New Zealand, Confession of Faith
 in, 348.
 Nicolson, Sir Thomas, 101, 140.
 Nithsdale, Earl of, 300.
 Norgate, Edward, 207.
 Nye, Philip, 304, 310, 340, 343.

 PARLIAMENT HOUSE, New, 222, 276,
 374.
 Parliament of Scotland, *see* Scottish
 Parliament.
 Perth Articles, 9, 10-11, 40.
Perth Assembly, 12, 46.
 Pringle-Pattison, Professor, 347.
 Privy Council of Scotland, 66-72,
 82, 85, 105, 137-8, 192, 278-9.
 Protestation against king's procla-
 mation, 103-9, 111.
 Psalms, metrical version of, 348.
 Pym, John, 229, 303.

 RAINY, Dr., 131.
 Rait, Professor, 134 n.
 Ramsay, Andrew, 78, 135.
 Reformation, Scotland's debt to,
 78-9.
 Reynolds, Dr., 345.
 Ripon, Treaty of, 238-9.
 Rollock, Henry, 78, 125.

Rosebery, Earl of, 77.
 Rothes, Earl of, 41, 101, 113, 118,
 121, 122, 123, 131, 161, 206, 216,
 245, 247, 277.
 Rouse, Francis, 348, 349.
 Rutherford, Samuel, 73, 309, 315,
 330, 391.
 Rutland, Earl of, 304.

 SANDERSON, ROBERT, Bishop of Lin-
 coln, 270.
 Saville, Lord, 229-30.
 Scone, Lord, 12, 13.
 Scot, Sir John of Scotstarvet,
 164 n.
 Scott, Sir Walter, 79-80.
 — William of Cupar, 9, 10, 12.
 Scottish Parliament, 20, 21, 51.
 Selden, John, 322, 343.
 Service Book, 63-5, 66-72, 75-7.
 Short Parliament, 229, 231.
 Solemn League and Covenant, 306-7,
 308, 312, 313, 316.
Spectator, The, 80.
 Spiritual Independence, Church of
 Scotland's claim to, 22-3.
 Spottiswoode, Archbishop of St.
 Andrews, 9, 10, 13, 41-2, 53, 137,
 139.
 — Sir Robert, 107, 279.
 Sprott, Dr., on Service Book, 77,
 78.
 St. Andrews Conference 1619, 12.
 Sternhold and Hopkins, metrical
 version of Psalms by, 348.
 Stevenson, R. L., 241, 346, 381.
 Stewart, Dr., 355.
 — Sir James, 229-30, 373.
 — Sir Lewis, 140, 142, 185.
 Strafford, Earl of, 131, 191, 227-8,
 246-7.
 Sutherland, Earl of, 126 n., 129.
 Sydserff, Bishop of Galloway, 60,
 92, 94, 139.

 TABLES, The, 93, 98, 100, 114,
 166-8.
 Tasmania, Confession of Faith in,
 348.
 Taylor Innes, A., 79.
 Terry, Professor Sanford, 373 n.
 Toleration, 220, 327, 330, 334-5,
 371, 372.

- Traquair, Earl of, Lord Treasurer,
 (John Stewart), 63, 88, 95, 102,
 108, 109, 138, 139, 215, 221,
 223, 228.
 Treaty of London, 247-8.
 Trial of Ministers for treason, 33,
 34.
 Tulchan bishops, 19.
 UNIFORMITY OF RELIGION, 249, 250,
 287, 312, 328, 330, 335, 337,
 348, 361.
 Uxbridge Conference, 351-9.
 VANE, Sir Harry the Younger, 304,
 320, 360.
 Verney, Sir Edmund, 203, 205.
 WALLIS, Dr., 345, 346.
 War Cabinet, 330.
 Wariston, 91, 92, 101, 105, 108,
 116, 121-3, 131, 143, 152, 159,
 161-2, 167, 169, 208, 238, 245,
 255, 278, 290, 307, 309.
 Warneck, Dr., 269.
 Watergate of Edinburgh, 216.
 Webster, Miss Mary, of St.
 Andrews, 375.
 Wedderburn, Alexander, 135.
 — Bishop of Dunblane, 60.
 Welsh, John, 34.
 Wemyss, John, 218.
 Wentworth, *see* Strafford.
 Westminster Assembly, 304, 305,
 309-10, 321-2, 326-7, 337, 338.
 Whitfoord, Bishop of Brechin, 60,
 137, 139.
 Whitelocke, Sir Bulstrode, 333,
 334.
 Worcester House, 243, 341.



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